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1995

BY-LAWS OF THE
CITY OF HAMILTON
95-135 ...

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 95-135

TO INCORPORATE CITY LAND
DESIGNATED AS PART 2, PLAN 62R-13389
INTO APPLEBLOSSOM DRIVE

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 297(1) of The Municipal Act, R.S.O. 1990, Chapter M.45 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it necessary to incorporate a portion of the highway known as Appleblossom Drive within its limits, the land described below;

AND WHEREAS the said land is owned by The Corporation of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The following land is hereby established and laid out as a public highway to form part of Appleblossom Drive.

Part Block 30, Plan 62M-710, designated as Part 2, on Plan 62R-13389.

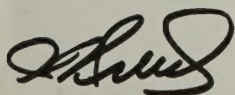
City of Hamilton

Regional Municipality of Hamilton-Wentworth

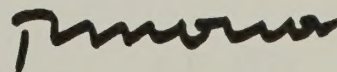
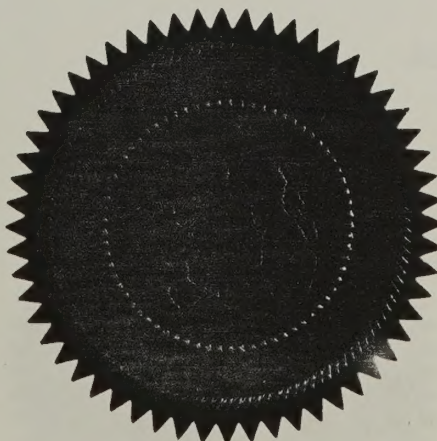
2. The Commissioner of Transportation/Environmental Services or his duly authorized agent is hereby authorized to open as public highway the said land.

3. This by-law comes into force and takes effect on the date of its registration in the Land Registry Office (No. 62).

PASSED this 27th day of June A.D. 1995



City Clerk



Mayor

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 95- 136

TO INCORPORATE CITY LAND
DESIGNATED AS BLOCK 5 ON PLAN 62M-590, BLOCK 30 ON PLAN 62M-726
AND PART 14, ON PLAN 62R-13203
INTO BERKINDALE DRIVE

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 297(1) of The Municipal Act, R.S.O. 1990, Chapter M.45 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it necessary to incorporate a portion of the highway known as Berkindale Drive within its limits, the land described below;

AND WHEREAS the said land is owned by The Corporation of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The following land is hereby established and laid out as a public highway to form part of Berkindale Drive.

Firstly: Block 5, Plan 62M-590.

Secondly: Block 30, Plan 62M-726.

Thirdly: Part of Lot 2, Registered Plan 772, designated as Part 14, on Plan 62R-13203.

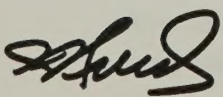
City of Hamilton

Regional Municipality of Hamilton-Wentworth

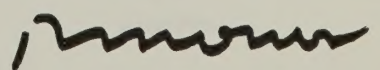
2. The Commissioner of Transportation/Environmental Services or his duly authorized agent is hereby authorized to open as public highway the said land.

3. This by-law comes into force and takes effect on the date of its registration in the Land Registry Office (No. 62).

PASSED this 27th day of June A.D. 1995



City Clerk



Mayor

BY-LAW NO. 95 - 137

TO AMEND BY-LAW NO. 89-72 TO REGULATE TRAFFIC

THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON ENACTS AS FOLLOWS:

TRAFFIC

1. **Schedule 34 (Sticker Permit Parking)** of By-law 89-72 To Regulate Traffic passed on the 28th day of February 1989 is hereby amended by adding thereto the following items, namely:-

"Britannia	North	commencing at a point 147 feet east of Kenilworth to Archibald	Anytime
Paling	East	commencing at a point 603 feet south of Barton to a point 27 feet southerly therefrom	Anytime
Park Row	East	commencing at a point 79 feet south of Roxborough to a point 21 feet southerly therefrom	Anytime
Newlands	South	commencing at a point 197 feet west of Cope Street to a point 22 feet westerly therefrom	Anytime
Picton	North	commencing at a point 99 feet west of MacNab to a point 18 feet westerly therefrom	Anytime
Bristol	North	commencing at a point 26 feet east of Sanford to a point 29 feet easterly therefrom	Anytime
Emerald	East	commencing at a point 101 feet north of the southerly end to a point 20 feet northerly therefrom	Anytime
Emerald	West	commencing at a point 93 feet north of the southerly end to a point 23 feet northerly therefrom	Anytime".

and by deleting therefrom the following item, namely:-

"Paling	West	from a point 628 feet south of Barton to a point 23 feet southerly therefrom	Anytime".
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2. **Schedule 26 (No Parking Areas)** is hereby amended by adding thereto the following items, namely:-

"Riverdale	West	from the north to the south legs of Gainsborough	Anytime
Riverdale	East	Delawana to Jerome	Anytime
Independence	West	Templemead to the south property line of No. 100 Independence	Anytime
Strathcona	West	Main to King	Anytime
Hillcrest	North	Beulah to the east end	Anytime
Mary	East	Simcoe to 70 feet south	Anytime".

(Schedule 26 Cont'd)

and by deleting therefrom the following items, namely:-

"Riverdale	East	Delawana to 184 feet north of Glenburn	Anytime
Avondale	East	Beechwood to 84 ft. north	Anytime
Hillcrest	South	Mountain to easterly end	Anytime
Mary	East	Simcoe to a point 91 feet south	Anytime".

3. **Schedule 27 (Alternate Side Parking)** is hereby amended by deleting therefrom the following items, namely:-

"Strathcona Avenue	West	East
Main Street to King Street		
Hillcrest Avenue		
Chedoke Avenue to Mountain Avenue	North	South".

and by adding thereto the following item, namely:-

"Hillcrest	North	South".
Chedoke to Beulah		

4. **Schedule 25 (Parking Time Limits)** is hereby amended by adding thereto the following items, namely:-

"Bold	South	from the east curb line of Ray to Queen	3 hr	Anytime
Locke	East	commencing at a point 28 feet south of Peter to a point 37 feet southerly therefrom	1 hr	8:00 am - 6:00 pm Mon - Sat".

5. **Schedule 37 (Snow Routes)** is hereby amended by deleting therefrom the following items, namely:-

"Avondale	Both	Beechwood	Barton
Beachwood	Both	Gage	Avondale".

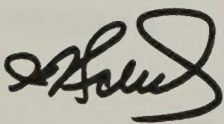
PASSED this

27th

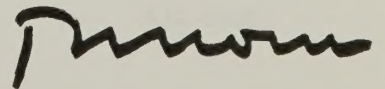
day of

June

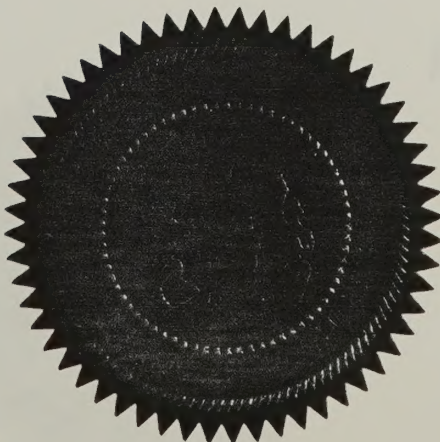
A.D. 1995.



CITY CLERK



MAYOR



BY-LAW NO. 95 - 138

TO AMEND BY-LAW NO. 89-72 TO REGULATE TRAFFIC

THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON ENACTS AS FOLLOWS:

TRAFFIC

1. **Schedule 29 (No Stopping Areas)** of By-law 89-72 To Regulate Traffic passed on the 28th day of February 1989 is hereby amended by adding thereto the following item, namely:-

"Claremont Drive South Easterly end to 103 feet west Anytime".

and by deleting therefrom the following item, namely:-

"Riverdale West commencing at a point 93 feet south
of the south curb line of Jerome to
a point 51 feet southerly therefrom Anytime".

2. **Schedule 10 (Stops at Intersections)** is hereby amended by adding thereto the following items, namely:-

"Carriagegate	Southbound	Parkwood
Parkwood	Eastbound	Grandoaks
Agincourt	Southbound	McAnulty".

3. **Schedule 16 (No Left Turns at Certain Intersections)** is hereby amended by adding thereto the following item, namely:-

"Binkley Southbound Main Anytime".

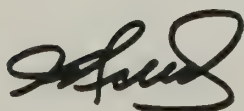
4. **Schedule 31 (School Bus Loading Zones)** is hereby amended by adding thereto the following item, namely:-

"Queensbury South 196 feet commencing at a point 258 feet 7:00 am - 6:00 pm
west of Upper Ottawa Monday to Saturday".

and by deleting therefrom the following item, namely:-

"Queensbury South 156 feet commencing at a point 258 west 7:00 am - 6:00 pm
of Upper Ottawa Monday to Saturday".

PASSED this 27th day of June A.D. 1995.



CITY CLERK





MAYOR

BY-LAW NO. 95 - 139

TO AMEND BY-LAW NO. 89-72 TO REGULATE TRAFFIC

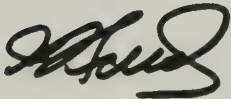
THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON ENACTS AS FOLLOWS:

TRAFFIC

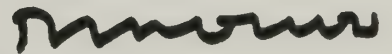
1. **Schedule 26 (No Parking Areas)** of By-law 89-72 To Regulate Traffic passed on the 28th day of February 1989 is hereby amended by adding thereto the following items, namely:-

"Robson	East & North	from the north property line of no. 51 Robson to the east property line of no. 57 Robson	Anytime
Robson	South	from the west curb line of Robson to a point 89 feet easterly therefrom	Anytime".

PASSED this 27th day of June A.D. 1995.



CITY CLERK



MAYOR

The Corporation of the City of Hamilton

BY-LAW NO. 95-140

To Amend:

Zoning By-law No. 6593

Respecting:

**LANDS LOCATED AT THE REAR OF
MUNICIPAL NOS. 1451, 1459, 1465 AND 1469 UPPER JAMES STREET**

WHEREAS it is intended to change the zoning of the lands hereinafter referred to by amending By-law No. 6593, passed on the 25th day of July 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. E-9D of the District Maps, appended to and forming part of By-law No. 6593, is amended,

(a) by changing from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District,

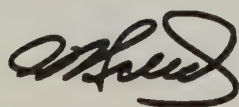
the land comprised in Block 1, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".

2. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED this 27th day of

June

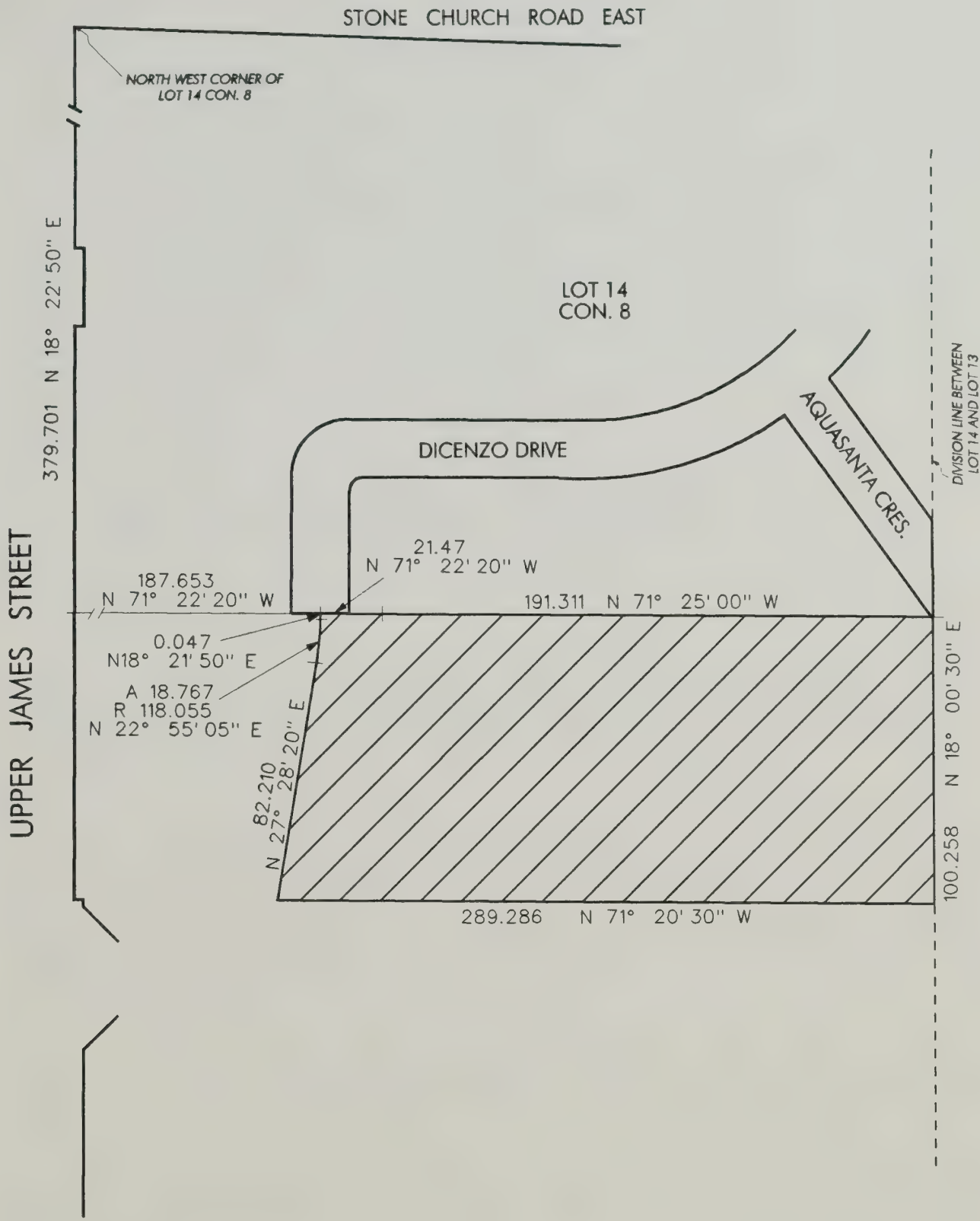
A.D. 199



CITY CLERK



MAYOR



NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 95-140
Passed the 27th day of June, 1995.

[Signature]
Clerk

[Signature]
Mayor

City of Hamilton

Schedule A

Map Forming Part of
By-Law No. 95-140...
to Amend By-Law No. 6593

Planning and Development Department

Legend

Change in zoning from:

 "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District.

North 	Scale Not to Scale	Reference File No. ZA-90-13
	Date JUNE 1995	Drawn By R.L.

The Corporation of the City of Hamilton

BY-LAW NO. 95- 141

To Amend:

Zoning By-law No. 6593

Respecting:

**DEFINITIONS OF "LODGING HOUSE", "HOSTEL", "HOTEL",
"RESIDENTIAL CARE FACILITY", "SHORT-TERM CARE FACILITY"
and "TOURIST HOME"**

WHEREAS the Council of The Corporation of the City of Hamilton passed By-law No. 6593 on the 25th day of July 1950, which by-law was approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS the Council of The Corporation of the City of Hamilton, in adopting Section 2 of the 13th Report of the Planning and Development Committee at its meeting held on the 9th day of May 1995, recommended that By-law No. 6593 be amended to provide for a general text amendment to the said by-law with respect to the definitions of "lodging house", "hostel", "hotel", "residential care facility", "short-term care facility" and "tourist home", as hereinafter provided;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Subsection 2.(2)A.(xii) of Zoning By-law No. 6593 is amended by deleting the existing definition of "lodging house" and replacing it with the following:

"Lodging House" shall mean a dwelling or building or portion thereof in which lodging is provided for more than 3 persons for remuneration, or the provision of services or both, and the lodging rooms do not have bathrooms and/or kitchen facilities for the exclusive use of individual occupants, but shall not include the following:

- i) a hostel;
- ii) a hotel;
- iii) a public or private hospital;
- iv) a nursing home;
- v) a home for the aged or a home for elderly persons;
- vi) a tourist home;
- vii) a residential care facility; and,
- viii) a short-term care facility,

where such facilities are licensed, approved or supervised under a general or special Act other than the Municipal Act."

2. Subsection 2.(2)A.(x) of Zoning By-law No. 6593 is amended by adding the words "lodging house" after the phrase "except a" in the fourth line of the definition, so that the definition of "Hostel" shall read as follows:

"**Hostel**" shall mean and include every establishment in which men only or women only are harboured, received or lodged for hire for a single night or for less than a week at one time, except a lodging house, hotel, tourist home, or private hospital;"

3. Subsection 2.(2)A.(xi) of Zoning By-law No. 6593 is amended by adding the words "lodging house" after the phrase "shall not include a" in the third line of the definition, so that the definition of "Hotel" shall read as follows:

"**Hotel**" shall mean and include any hotel within the meaning of The Hotel Registration of Guests Act or The Liquor Licence Act, but shall not include a lodging house, hostel, tourist home, or apartment hotel;*

* Section 1 of The Hotel Registration of Guests Act defines "hotel" as follows:

"In this act, 'hotel' means a separate building or two or more connected buildings used mainly for the purpose of catering to the needs of the travelling public by the supply of food and also by the furnishing of sleeping accommodation of not less than six bedrooms as distinguished from any other building or connected buildings used mainly for the purpose of supplying food and lodging by the week or otherwise commonly known as 'boarding houses' or of furnishing living quarters for families and having a dining-room or restaurant commonly known as 'apartment houses' or private hotels'."

4. Subsection 2.(2)A.(xiiaa) of Zoning By-law No. 6593 is amended by adding the words "lodging house" after the words "foster home" in the second last line of the definition, so that the definition of "Residential Care Facility" shall read as follows:

"**Residential Care Facility**" means a fully detached residential building occupied by a maximum number of supervised residents as permitted by a district, exclusive of staff, residing on the premises as a group because of social, emotional, mental or physical handicap or personal distress for the purpose of achieving well-being through either one or more programs of self-help, professional care, guidance, supervision not otherwise beneficially available within the resident's own family or if the resident were residing on the premises where,

- (a) the residents are referred to the facility by a hospital, court or government agency; or
- (b) the facility received all or part of its non-capital funds from a government; or
- (c) the facility is licensed, approved or supervised under any Federal or Provincial statute or a Municipal by-law,

but does not include a foster home, lodging house, sanatorium, nursing home or home for the aged;"

5. Subsection 2.(2)A.(xiiaaa) of Zoning By-law No. 6593 is amended by adding the words "lodging house" after the words "foster home" in the second last line of the definition, so that the definition of "Short-Term Care Facility" shall read as follows:

"Short-Term Care Facility" means a fully detached residential building occupied by a maximum number of supervised residents as permitted by a district, exclusive of staff or a part residential building occupied wholly as to the residential portion of the building by a maximum number of residents as permitted by a district, exclusive of staff, who individually require immediate shelter and assistance for a period normally not exceeding two weeks where,

- (a) the residents are referred to the facility by a hospital, court or government agency; or
- (b) the facility received all or part of its non-capital funds from a government; or
- (c) the facility is regulated by or supervised under any Federal or Provincial statute or a Municipal by-law,

but does not include a foster home, lodging house, sanatorium, nursing home or home for the aged;"

6. Subsection 2.(2)A.(xiv) of Zoning By-law No. 6593 is amended by adding the words "lodging house" after the words "except a" in the last line of the definition, so that the definition of "Tourist Home" shall read as follows:

"Tourist Home" shall mean a dwelling in which men and women are harboured, received or lodged for hire for a single night or for less than a week at one time, except a lodging house, hotel or private hospital."

7. In all other respects, By-law No. 6593, as amended, is hereby confirmed, unchanged.

8. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED this 27th day of June A.D. 1995



CITY CLERK



MAYOR



CORPORATION OF THE CITY OF HAMILTON

MEMORANDUM

TO:


Urban Municipal Collections
2nd Floor, Public Library

FROM:

Darryl Lee
Supervisor of Records/F.O.I. Officer

PHONE: 546-4587

SUBJECT: **Zoning By-law 06593 Text Amendments**

DATE: 1995 Sept. 15

The attached are replacement pages for City of Hamilton Zoning By-law 6593 with respect to a text amendment for the definition of "Lodging House", "Hostel", "Residential Care Facility", Short-Term Care Facility" and "Tourist Home" (By-law No. 95-141).

Please do not hesitate to contact me should you have any questions or concerns.



RESIDENTIAL USES (CONT'D)

2. (2) A. (viiiia) "Dwelling, Semi-Detached" shall mean a separate building divided vertically into two dwelling units by a solid common wall extending from the base of the foundation to the roofline for not less than 2.0 metres horizontal depth of the building; (82-45)
- (ix) "Dwelling Unit" shall mean a Class A dwelling unit or a housekeeping dwelling unit, and shall include a single family dwelling or any other separate living quarters for one family within a building, whether detached, semi-detached or attached; but shall not include a tent, or a cabin or trailer in a tourist camp or trailer camp, or a room or suite in an apartment hotel, tourist home, lodging house or other such premises; (7085/53) (81-27)
- (a) "Class A Dwelling Unit" shall mean a dwelling unit having a kitchen, as well as such sanitary and sleeping accommodation as is required by law; and
- (b) "Housekeeping Dwelling Unit" shall mean a dwelling unit without a kitchen, but with an alcove or space not enclosed on all sides by walls, intended or used for culinary purposes; (7085/53)
- (ixa) "Foster Home" means a home other than the home of the child's parent, in which a child is placed for care and supervision; (86-326)
- (x) "Hostel" shall mean and include every establishment in which men only or women only are harboured, received or lodged for hire for a single night or for less than a week at one time, except a lodging house, hotel, tourist home, or private hospital; (95-141)
- (xi) "Hotel" shall mean and include any hotel within the meaning of The Hotel Registration of Guests Act or The Liquor License Act, but shall not include a lodging house, hostel, tourist home, or apartment hotel; (95-141) *

* Section 1 of The Hotel Registration of Guests Act defines "hotel" as follows:

"In this act, 'hotel' means a separate building or two or more connected buildings used mainly for the purpose of catering to the needs of the travelling public by the supply of food and also by the furnishing of sleeping accommodation of not less than six bedrooms as distinguished from any other building or connected buildings used mainly for the purpose of supplying food and lodging by the week or otherwise commonly known as 'boarding houses' or of furnishing living quarters for families and having a dining-room or restaurant commonly known as 'apartment houses' or private hotels'." (6996/52)

RESIDENTIAL USES (CONT'D)

2. (2) A. (xii) "Lodging House" shall mean a dwelling or building or portion thereof in which lodging is provided for more than 3 persons for remuneration, or the provision of services or both, and the lodging rooms do not have bathrooms and/or kitchen facilities for the exclusive use of individual occupants, but shall not include the following:

- (i) a hostel;
- (ii) a hotel;
- (iii) a public or private hospital;
- (iv) a nursing home;
- (v) a home for the aged or a home for elderly persons;
- (vi) a tourist home;
- (vii) a residential care facility; and,
- (viii) a short-term care facility,

where such facilities are licensed, approved or supervised under a general or special Act other than the Municipal Act. (81-27) (95-141)

- (xiia) "Home for Elderly Persons" shall mean a multiple dwelling of at least six dwelling units used for living quarters for elderly persons and qualified to receive aid from the Province of Ontario under the Elderly Persons Housing Aid Act, Revised Statutes of Ontario, 1960, Chapter 117, or operated by or under the authority of the Ontario Housing Corporation. (10718/65)

- (axiia) "Private Home Day Care" means temporary care of 5 or fewer children under 10 years of age in a private residence other than the home of a parent or guardian of any of the children. This care is given for compensation or reward, under the supervision of a private-home day care agency and must not exceed a period of 24 hours;" (90-248)

- (xiiaa) "Residential Care Facility" means a fully detached residential building occupied wholly by a maximum number of supervised residents as permitted by a district, exclusive of staff, residing on the premises as a group because of social, emotional, mental or physical handicap or personal distress for the purpose of achieving well-being through either one or more programs of self-help, professional care, guidance, supervision not otherwise beneficially available within the resident's own family or if the resident were residing on the premises where,

- (a) the residents are referred to the facility by a hospital, court or government agency; or
- (b) the facility received all or part of its non-capital funds from a government; or
- (c) the facility is regulated by or supervised under any Federal or Provincial statute or a Municipal by-law,

RESIDENTIAL USES (CONT'D)

2. (2) A. (xvi) "Trailer Camp" shall mean a trailer camp within the meaning of the licencing provisions of The Municipal Act; *

* Section 413 (12) of The Municipal Act defines "trailer camp" as follows:

"'Trailer camp' means land in or upon which any vehicle so constructed that it is suitable for being attached to a motor vehicle for the purpose of being drawn or propelled by the motor vehicle, is placed, located, kept or maintained, notwithstanding that such vehicle is jacked-up or that its running-gear is removed, but not including any vehicle unless it is used for the living, sleeping or eating accommodation of persons therein." (6996/52)

The Corporation of the City of Hamilton

BY-LAW NO. 95-142

To Amend:

Zoning By-law No. 6593
as Amended by Zoning By-laws No. 85-171, 85-230 and 89-115

Respecting:

**LANDS LOCATED AT
MUNICIPAL NOS. 986-998 UPPER WENTWORTH STREET**

WHEREAS the Council of The Corporation of the City of Hamilton passed By-law No. 85-171 on the 27th day of August 1985 to change the zoning and establish special requirements under Section 19B of Zoning By-law No. 6593, for the "HH" District, in respect of the lands located on the west side of Upper Wentworth Street, between Mohawk Road East and Limeridge Road East, in the vicinity of Kingfisher Drive, the extent and boundaries of which are shown on a plan thereto annexed as Schedule "A"; which by-law was approved by the Ontario Municipal Board by Order dated the 14th day of January 1986, (File No. R 850477);

AND WHEREAS the Council of The Corporation of the City of Hamilton passed By-law No. 85-230 on the 29th day of October 1985 to change the zoning and establish special requirements under Section 19B of Zoning By-law No. 6593, for the "HH" District, in respect of the land located at Municipal No. 986 Upper Wentworth Street, the extent and boundaries of which are shown on a plan thereto annexed as Schedule "A", which by-law was approved by the Ontario Municipal Board by Order dated the 26th day of February 1986, (File No. R 860022);

AND WHEREAS an appeal was heard by the Ontario Municipal Board on the 13th day of February 1989 and the appeal allowed by Decision dated the 1st day of March 1989, and by Order dated the 1st day of March 1989, By-law No. 6593 was amended to permit certain commercial uses on the lands located at Municipal Nos. 986 to 998 Upper Wentworth Street, and By-law No. 89-115 was assigned to the amendment for record-keeping purposes;

WHEREAS the Ontario Municipal Board, in its Order dated the 18th day of April, 1995 (File No. Z 940044), allowed an appeal in part with respect to the property, the extent and boundaries of which are shown on Schedule "A" hereto annexed and forming part of this by-law, and amended Zoning By-law No. 6593 as hereinafter provided;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The "HH" (Restricted Community Shopping and Commercial) District provisions as contained in Section 14A of By-law No. 6593, as amended by Bylaws No. 85-230 and 89-115, applicable to the lands, the extent and boundaries of which are shown as Blocks 1 and 2 on a plan hereto annexed as Schedule "A", are further amended to the extent only of the special requirements that,

- (a) Sections 2.(a)(ii) and 2.(b)(ii) of By-law No. 89-115 are deleted;
- (b) the clause "provided that the said restaurant or refreshment room and the said tavern shall occupy an area no larger than 3,000 square feet in area and shall be operated as one unit only" is deleted from Sections 2.(a) and 2.(b) of By-law No. 89-115;
- (c) the clause "provided that the gross floor area shall not exceed 1826.0 m² of the building existing on the date of passing this By-law." is added to Sections 2.(a)(i) and 2.(b)(i) of By-law No. 89-115.

2. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "HH" District provisions, subject to the special requirements referred to in section 2 of By-law No. 89-115 and section 1 of this by-law.

3. By-law No. 6593 is amended by adding this by-law to section 19B as Schedules S-922d and S-936b.

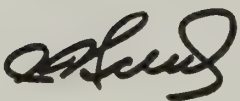
4. Sheet No. E-18A of the District Maps is amended by marking the lands referred to in section 1 as Blocks 1 and 2, S-936b and S-922d, respectively.

5. In all other respects, By-law No. 89-115 is hereby confirmed, unchanged.

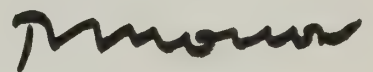
PASSED this 27th day of

June

A.D. 1995



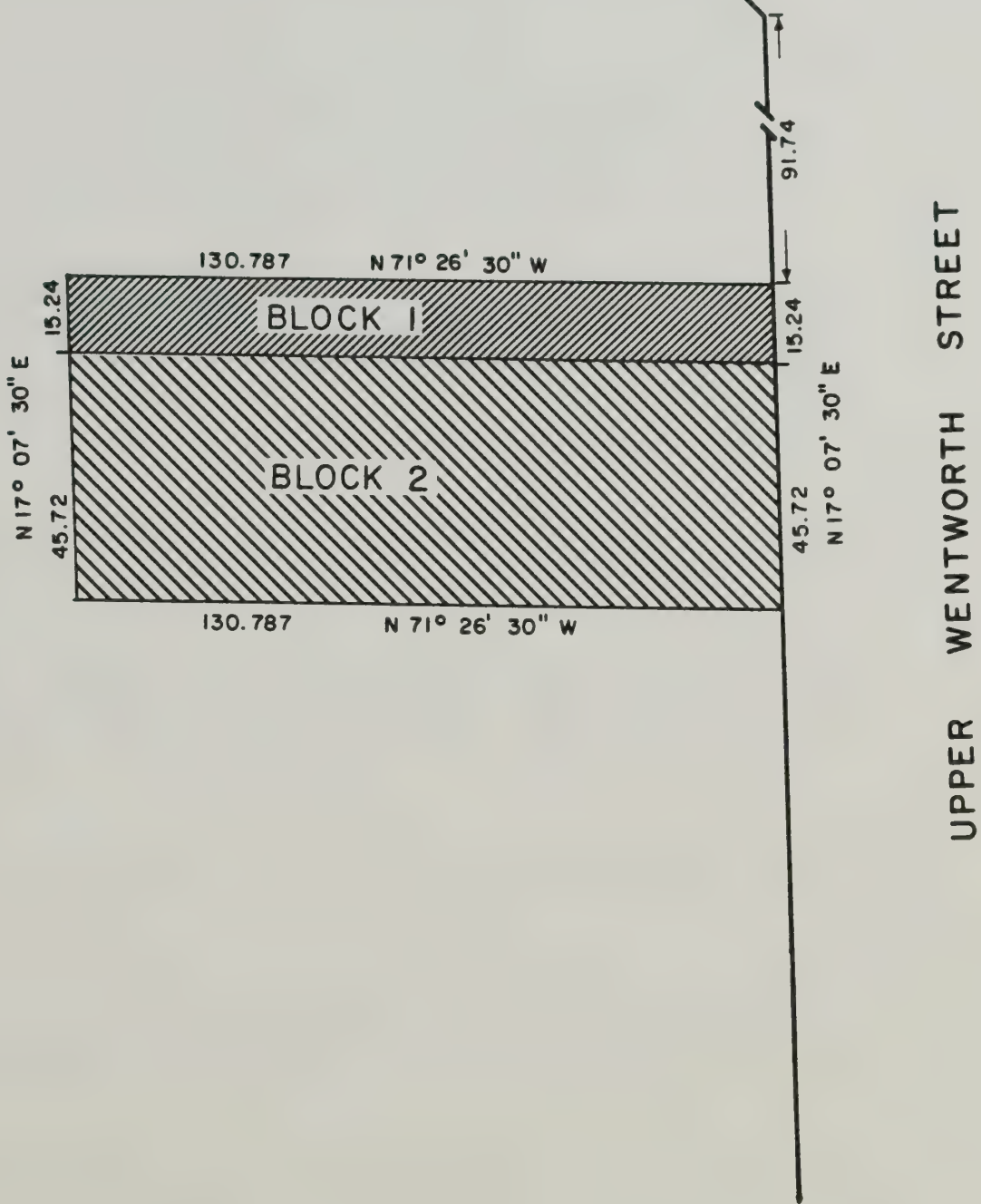
CITY CLERK



MAYOR



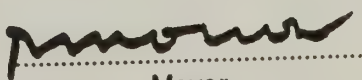
KINGFISHER DRIVE



NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 95-¹⁴²
 Passed the ~~27th~~ day of ~~June~~, 1995.


 Clerk


 Mayor

City of Hamilton

Schedule A

Map Forming Part of
 By-Law No. 95-~~142~~
 to Amend By-Law No. 6593

Planning and Development Department

Legend

- BLOCK 1
- BLOCK 2

Further modification to the
 "HH" (Restricted Community
 Shopping and Commercial,
 etc) District.

North



Scale
 Not to Scale

Date
 MAY 1995

Reference File No.
 ZAR-93-37

Drawn By
 Z.K.

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO.95- 143

TO AUTHORIZE AN EXTENSION AGREEMENT

FOR PAYMENT OF REALTY TAX ARREARS

WHEREAS the Municipal Tax Sales Act, R.S.O. 1990, c.M.60, (hereinafter referred to as the "Act"), states that the Council of a municipality may, by by-law, authorize an Extension Agreement with the owner of land in arrears of realty taxes in excess of three (3) years after the registration of a Tax Arrears Certificate and before the expiry of the one year redemption period;

AND WHEREAS the Municipal Tax Sales Act (section 8) states that the said Extension Agreement may extend the period of time, upon the terms specified therein, within which the Cancellation Price is to be paid;

AND WHEREAS, pursuant to the Municipal Tax Sales Act, the Treasurer did register a Tax Arrears Certificate indicating arrears of realty taxes in excess of three (3) years on the lands described in Schedule "A" annexed hereto,

AND WHEREAS, the said land is recorded by The Corporation of the City of Hamilton under the specific Tax Roll Serial Nos. indicated in Schedule "A" annexed hereto.

AND WHEREAS, The Owners of the lands described in Schedule "A" have requested that the City exercise its discretion to pass a bylaw to authorize an Extension Agreement to extend the period of time in which the Cancellation Price may be paid.

AND WHEREAS the one year period within which this by-law may be enacted will therefore expire on the days described as the redemption date of Schedule "A" attached hereto.

NOW THEREFORE the Council of the Corporation of the City of Hamilton enacts as follows:

1. (a) The time open for acceptance and the permitted payments of the Cancellation Price beyond the expiry of the said one year redemption period as set out in Schedule "A" are hereby authorized to be extended pursuant to an Extension Agreement.

(b) The owner of the land described in Schedule "A" may, on or before the redemption date, enter into the Extension Agreement with The Corporation of the City of Hamilton, and the Mayor and City Clerk are hereby authorized to execute the Extension Agreement on behalf of the City.
2. As provided in the Municipal Tax Sales Act, notwithstanding any other provision of this Extension Agreement, it is understood and agreed that while the Extension Agreement remains a subsisting agreement in good standing:

(a) that the Extension Agreement does not reduce the amount of the Cancellation Price.

(b) that the Extension Agreement does not prohibit any person from paying the Cancellation Price at any time.

(c) that any person may pay the Cancellation Price at any time.

(d) that the Extension Agreement terminates upon payment of the Cancellation Price by any person.

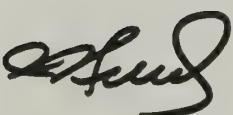
(e) that the Extension Agreement shall cease to be considered a subsisting Extension Agreement for purposes of section 9(2) of the Act, when and under what conditions set out in the Extension Agreement.

3. As also provided in the Municipal Tax Sales Act,

(a) while such Extension Agreement is in good standing, the period of such time shall not be counted in calculating the time within which the Cancellation Price may be paid.

(b) upon default by owner in complying with the Extension Agreement or any term thereof, the Extension Agreement shall cease and, (unless there remains time within which the Cancellation Price may be paid and is paid), the land shall be offered for sale by the Treasurer.

PASSED this 27th day of June 1995, A.D.,



CITY CLERK



MAYOR



SCHEDULE "A" to By-law 95-143
EXTENSION AGREEMENTS

A)	PROPERTY ADDRESS SERIAL NUMBER BRIEF LEGAL DESCRIPTION DATE OF REGISTRATION INST # OF TAX ARREARS CERTIFICATE REDEMPTION DATE TOTAL ARREARS	14 Dalkeith 04 02850 4780 PLAN 562 PT LOT 122 16 SEPT 94 VM194094 16 SEPT 95 \$9,951.26
B)	PROPERTY ADDRESS SERIAL NUMBER BRIEF LEGAL DESCRIPTION DATE OF REGISTRATION INST # OF TAX ARREARS CERTIFICATE REDEMPTION DATE TOTAL ARREARS	19 JOHN ST SOUTH 02 01510 6340 PT LOT 25 LOT 26 02 SEPT 94 VM194149 02 SEPT 95 \$97,763.21
C)	PROPERTY ADDRESS SERIAL NUMBER BRIEF LEGAL DESCRIPTION DATE OF REGISTRATION INST # OF TAX ARREARS CERTIFICATE REDEMPTION DATE TOTAL ARREARS	118 JACKSON ST E 02 01445 2610 PLAN 1431 PT LOT 50 02 SEPT 94 VM193148 02 SEPT 95 \$45,467.10
D)	PROPERTY ADDRESS SERIAL NUMBER BRIEF LEGAL DESCRIPTION DATE OF REGISTRATION INST # OF TAX ARREARS CERTIFICATE REDEMPTION DATE TOTAL ARREARS	802 CANNON ST E 03 02640 1270 PLAN 477 PT LOT 88 16 SEPT 94 VM194093 16 SEPT 95 \$7,781.00
E)	PROPERTY ADDRESS SERIAL NUMBER BRIEF LEGAL DESCRIPTION DATE OF REGISTRATION INST # OF TAX ARREARS CERTIFICATE REDEMPTION DATE TOTAL ARREARS	262 WELLINGTON ST N 03 02155 0280 PLAN 286 PT LOT 13 14 SEPT 94 VM193761 14 SEPT 95 \$10,598.29
F)	PROPERTY ADDRESS SERIAL NUMBER BRIEF LEGAL DESCRIPTION DATE OF REGISTRATION INST # OF TAX ARREARS CERTIFICATE REDEMPTION DATE TOTAL ARREARS	1394 KING ST E 04 02930 6070 PLAN 548 PT LOT 91 & 92 14 SEPT 94 VM193765 14 SEPT 95 \$45,306.76
G)	PROPERTY ADDRESS SERIAL NUMBER BRIEF LEGAL DESCRIPTION DATE OF REGISTRATION INST # OF TAX ARREARS CERTIFICATE REDEMPTION DATE TOTAL ARREARS	247 GIBSON AVE 03 02350 2200 PLAN 245 PT LOT 77 16 SEPT 94 VM194090 16 SEPT 95 \$8,187.39
H)	PROPERTY ADDRESS SERIAL NUMBER BRIEF LEGAL DESCRIPTION DATE OF REGISTRATION INST # OF TAX ARREARS CERTIFICATE REDEMPTION DATE TOTAL ARREARS	74 WENTWORTH ST S 03 02070 6530 REG COMP PLAN 1360 LOT 88 22 SEPT 94 VM194465 22 SEPT 95 \$13,468.75
I)	PROPERTY ADDRESS SERIAL NUMBER BRIEF LEGAL DESCRIPTION DATE OF REGISTRATION INST # OF TAX ARREARS CERTIFICATE REDEMPTION DATE TOTAL ARREARS	26 GLENBURN CRT 05 04630 3418 WENTWORTH CONDO PLAN 13 LEVEL 1 UNIT 17 22 SEPT 94 LT371560 22 SEPT 95 \$6,280.48

The Corporation of the City of Hamilton

BY-LAW NO. 95- 144

To Require:

AN ELECTION TO FILL A VACANCY IN WARD 5

WHEREAS a member of the Council of The Corporation of the City of Hamilton for Ward 5 was elected a member of the Legislative Assembly of the Province of Ontario on June 8, 1995;

AND WHEREAS Section 9 of the Legislative Assembly Act, R.S.O. 1990, Chapter L.10 provides as follows:

9. (1) Subject to subsection (2), a member of the Assembly is not eligible to hold office as a member of the council of a municipality, including a district, metropolitan or regional municipality, or as a member of a local board, as defined in the Municipal Affairs Act of such a municipality.
- (2) Every person who is elected a member of the Assembly while holding an office referred to in subsection (1) may continue to hold such office, notwithstanding any other Act, until the end of the day on which the return of the election of such person to the Assembly is published in The Ontario Gazette under Section 82 of the Election Act, at which time he shall be deemed to have resigned such office;

AND WHEREAS Section 82 of the Election Act provides as follows:

82. The Chief Election Officer, on receiving the return of a member elected to the Assembly, shall give notice of the receipt of the return in the next ordinary issue of The Ontario Gazette, the date of such receipt and the name of the candidate elected;

AND WHEREAS paragraph 3 of subsection 37 of the Municipal Act, R.S.O. 1990, Chapter M.45 provides as follows:

37. (1) The following are not eligible to be elected a member of a council or to hold office as a member of a council:
 3. A member of the Assembly as provided in the Legislative Assembly Act or of the Senate or House of Commons of Canada;

AND WHEREAS subsection 46 (1) of the said Municipal Act provides as follows:

46. (1) Subject to subsection (3), where a vacancy occurs in the office of a member of the council of a local municipality, the council may by by-law require an election to be held to fill the vacancy and where the council passes such a by-law the clerk of the municipality shall hold a new election to fill the vacancy in accordance with Section 108 of the Municipal Elections Act;

AND WHEREAS subsection 46 (3) of the said Municipal Act allows for a vacancy to be filled by election where the vacancy occurs prior to the 31st day of March in a municipal election year;

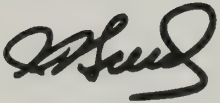
AND WHEREAS the vacancy will occur in the office of a member of Council for Ward 5 upon the deemed resignation from municipal office in accordance with the Legislative Assembly Act;

AND WHEREAS it is desirable to hold an election to fill the vacancy consequent upon the said deemed resignation;

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. It is hereby required that an election shall be held to fill the vacancy in the office of Alderman for Ward 5.
2. The City Clerk is hereby authorized and directed to do all things necessary to give effect to this By-law.

PASSED this *27th* day of *June* ,1995.



CITY CLERK



MAYOR

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO.95-145

TO AUTHORIZE AN EXTENSION AGREEMENT

FOR PAYMENT OF REALTY TAX ARREARS

WHEREAS the Municipal Tax Sales Act, R.S.O. 1990, c.M.60, (hereinafter referred to as the "Act"), states that the Council of a municipality may, by by-law, authorize an Extension Agreement with the owner of land in arrears of realty taxes in excess of three (3) years after the registration of a Tax Arrears Certificate and before the expiry of the one year redemption period;

AND WHEREAS the Municipal Tax Sales Act (section 8) states that the said Extension Agreement may extend the period of time, upon the terms specified therein, within which the Cancellation Price is to be paid;

AND WHEREAS, pursuant to the Municipal Tax Sales Act, the Treasurer did register a Tax Arrears Certificate indicating arrears of realty taxes in excess of three (3) years on the lands described in Schedule "A" annexed hereto,

AND WHEREAS, the said land is recorded by The Corporation of the City of Hamilton under the specific Tax Roll Serial Nos. indicated in Schedule "A" annexed hereto.

AND WHEREAS, The Owners of the lands described in Schedule "A" have requested that the City exercise its discretion to pass a bylaw to authorize an Extension Agreement to extend the period of time in which the Cancellation Price may be paid.

AND WHEREAS the one year period within which this by-law may be enacted will therefore expire on the days described as the redemption date of Schedule "A" attached hereto.

NOW THEREFORE the Council of the Corporation of the City of Hamilton enacts as follows:

1. (a) The time open for acceptance and the permitted payments of the Cancellation Price beyond the expiry of the said one year redemption period as set out in Schedule "A" are hereby authorized to be extended pursuant to an Extension Agreement.

(b) The owner of the land described in Schedule "A" may, on or before the redemption date, enter into the Extension Agreement with The Corporation of the City of Hamilton, and the Mayor and City Clerk are hereby authorized to execute the Extension Agreement on behalf of the City.
2. As provided in the Municipal Tax Sales Act, notwithstanding any other provision of this Extension Agreement, it is understood and agreed that while the Extension Agreement remains a subsisting agreement in good standing:

(a) that the Extension Agreement does not reduce the amount of the Cancellation Price.

(b) that the Extension Agreement does not prohibit any person from paying the Cancellation Price at any time.

(c) that any person may pay the Cancellation Price at any time.

(d) that the Extension Agreement terminates upon payment of the Cancellation Price by any person.

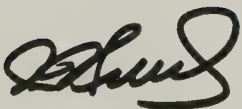
(e) that the Extension Agreement shall cease to be considered a subsisting Extension Agreement for purposes of section 9(2) of the Act, when and under what conditions set out in the Extension Agreement.

3. As also provided in the Municipal Tax Sales Act,

(a) while such Extension Agreement is in good standing, the period of such time shall not be counted in calculating the time within which the Cancellation Price may be paid.

(b) upon default by owner in complying with the Extension Agreement or any term thereof, the Extension Agreement shall cease and, (unless there remains time within which the Cancellation Price may be paid and is paid), the land shall be offered for sale by the Treasurer.

PASSED this 27th day of June 1995, A.D.,



CITY CLERK



MAYOR



SCHEDULE "A" to By-law 95-145
EXTENSION AGREEMENTS

PROPERTY ADDRESS	68 HILLYARD STREET
SERIAL NUMBER	03 02240 5380
BRIEF LEGAL DESCRIPTION	PLAN 32 PT LOT 164
DATE OF REGISTRATION	NOVEMBER 29, 1994
INST # OF TAX ARREARS CERTIFICATE	VM199744
REDEMPTION DATE	NOVEMBER 29, 1995
TOTAL ARREARS	\$8,331.93

BY-LAW NO. 95 - 146

TO CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON AT ITS MEETING HELD ON THE 27TH DAY OF JUNE A.D., 1995.

WHEREAS by Section 9 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario, 1990, the powers of a municipal corporation are to be exercised by its Council;

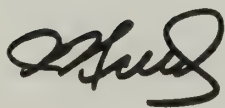
AND WHEREAS by Sub-section 1 of Section 101 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario 1990, the powers of every Council are to be exercised by by-law.

AND WHEREAS it is deemed expedient that the proceedings of the Council of The Corporation of the City of Hamilton at this meeting be confirmed and adopted by by-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:-

1. The action of The Council of The Corporation of the City of Hamilton in respect to each recommendation contained in the Reports of the Committees and of the local Boards and Commissions and each motion and resolution passed and other action taken by the Council of The Corporation of the City of Hamilton at this meeting is hereby adopted and confirmed as if all such proceedings were expressly in this By-law.
2. The Mayor and the proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the action of the Council of The Corporation of the City of Hamilton referred to in the preceding section hereof.
3. The Mayor, or in the absence of the Mayor, the Acting Mayor, and the City Clerk, or in the absence of the City Clerk, the Acting City Clerk are authorized and directed to execute all documents necessary in that behalf and to affix thereto the seal of The Corporation of the City of Hamilton.

PASSED this 27th day of June A.D. 1995



CITY CLERK



MAYOR



The Corporation of the City of Hamilton

BY-LAW NO. 95-147

To Provide For:

**THE PROVISION OF FLEET SERVICES
TO THE HAMILTON RED CROSS SOCIETY**

WHEREAS City Council wishes to provides fleet services, including general maintenance and repair, to The Hamilton Red Cross Society;

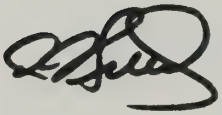
AND WHEREAS the City is authorized to provide, by by-law, for the use by any person of the employees or mechanical equipment of the municipality pursuant to the Municipal Act, R.S.O. 1990, Ch. M-45, as amended, Section 207 (23);

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

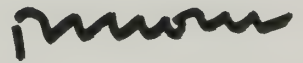
1. The City of Hamilton agrees to provide fleet services, including general maintenance and repair services, for vehicles owned and operated by The Hamilton Red Cross Society, subject to the terms, conditions and charges set out in this by-law.
2. The terms, conditions and charges applicable to all fleet services provided by the City of Hamilton to The Hamilton Red Cross Society, shall be:
 - a) Services shall be provided through the Fleet Services Division of the Department of Public Works and Traffic;
 - b) The Hamilton Red Cross Society shall receive services for its vehicles in the same fashion, and to the same extent as are provided, from time to time, by the Fleet Services Division with respect to City of Hamilton vehicles;
 - c) Service upon City of Hamilton vehicles, and other City of Hamilton operational considerations, shall, at all times, have priority over the provision of services to The Hamilton Red Cross Society;
 - d) The Hamilton Red Cross Society shall be charged for these services at the same hourly rate charged by Fleet Services Division for internal City budget purposes, as that rate exists from time to time, for the provision of the same services with respect to City of Hamilton vehicles;
 - e) The City shall provide insurance coverage for vehicles of The Hamilton Red Cross Society while in the possession of the City;
 - f) The City may terminate this arrangement at any time, without notice, subject only to the completion of any work in progress on vehicles of The Hamilton Red Cross Society; and

- g) The Hamilton Red Cross Society may terminate this arrangement at any time, without notice, subject only to the payment of any charges incurred for services completed or commenced up to the time of termination.
3. The Commissioner of Public Works and Traffic shall supervise this arrangement on behalf of the City of Hamilton.

PASSED this *11th* day of *July* ,1995.



CITY CLERK



MAYOR

BY-LAW NO. 95 - 149

TO AMEND BY-LAW NO. 89-72 TO REGULATE TRAFFIC

THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON ENACTS AS FOLLOWS:

TRAFFIC

1. **Schedule 34 (Sticker Permit Parking)** of By-law 89-72 To Regulate Traffic passed on the 28th day of February 1989 is hereby amended by adding thereto the following item, namely:-

"Tragina East commencing 66 feet south of Vansitmart
to 22 feet southerly therefrom Anytime".

2. **Schedule 25 (Parking Time Limits)** is hereby amended by adding thereto the following item, namely:-

"Roosevelt East between Beach Road and the
southerly end 1 hr 8 am - 6 pm Mon - Fri".

3. **Schedule 23 (Hamilton Street Railway Bus Stops)** is hereby amended by adding to the INBOUND Column the following item, namely:-

"Limeridge, 1345 ft. east of Kendale (MB)".

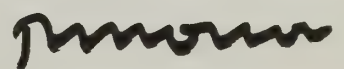
and deleting from the INBOUND Column the following item, namely:-

"Limeridge opposite Kendale".

PASSED this 11th day of July A.D. 1995.



CITY CLERK



MAYOR

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO.95- 150

TO AUTHORIZE AN EXTENSION AGREEMENT

FOR PAYMENT OF REALTY TAX ARREARS

WHEREAS the Municipal Tax Sales Act, R.S.O. 1990, c.M.60, (hereinafter referred to as the "Act"), states that the Council of a municipality may, by by-law, authorize an Extension Agreement with the owner of land in arrears of realty taxes in excess of three (3) years after the registration of a Tax Arrears Certificate and before the expiry of the one year redemption period;

AND WHEREAS the Municipal Tax Sales Act (section 8) states that the said Extension Agreement may extend the period of time, upon the terms specified therein, within which the Cancellation Price is to be paid;

AND WHEREAS, pursuant to the Municipal Tax Sales Act, the Treasurer did register a Tax Arrears Certificate indicating arrears of realty taxes in excess of three (3) years on the lands described in Schedule "A" annexed hereto,

AND WHEREAS, the said land is recorded by The Corporation of the City of Hamilton under the specific Tax Roll Serial Nos. indicated in Schedule "A" annexed hereto.

AND WHEREAS, The Owners of the lands described in Schedule "A" have requested that the City exercise its discretion to pass a bylaw to authorize an Extension Agreement to extend the period of time in which the Cancellation Price may be paid.

AND WHEREAS the one year period within which this by-law may be enacted will therefore expire on the days described as the redemption date of Schedule "A" attached hereto.

NOW THEREFORE the Council of the Corporation of the City of Hamilton enacts as follows:

1. (a) The time open for acceptance and the permitted payments of the Cancellation Price beyond the expiry of the said one year redemption period as set out in Schedule "A" are hereby authorized to be extended pursuant to an Extension Agreement.

(b) The owner of the land described in Schedule "A" may, on or before the redemption date, enter into the Extension Agreement with The Corporation of the City of Hamilton, and the Mayor and City Clerk are hereby authorized to execute the Extension Agreement on behalf of the City.
2. As provided in the Municipal Tax Sales Act, notwithstanding any other provision of this Extension Agreement, it is understood and agreed that while the Extension Agreement remains a subsisting agreement in good standing:

3

(a) that the Extension Agreement does not reduce the amount of the Cancellation Price.

(b) that the Extension Agreement does not prohibit any person from paying the Cancellation Price at any time.

(c) that any person may pay the Cancellation Price at any time.

(d) that the Extension Agreement terminates upon payment of the Cancellation Price by any person.

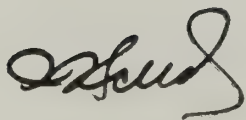
(e) that the Extension Agreement shall cease to be considered a subsisting Extension Agreement for purposes of section 9(2) of the Act, when and under what conditions set out in the Extension Agreement.

3. As also provided in the Municipal Tax Sales Act,

(a) while such Extension Agreement is in good standing, the period of such time shall not be counted in calculating the time within which the Cancellation Price may be paid.

(b) upon default by owner in complying with the Extension Agreement or any term thereof, the Extension Agreement shall cease and, (unless there remains time within which the Cancellation Price may be paid and is paid), the land shall be offered for sale by the Treasurer.

PASSED this 11th day of July 1995, A.D.,



CITY CLERK



MAYOR



SCHEDULE 'A' to By-law 95-150
EXTENSION AGREEMENTS

A)	PROPERTY ADDRESS SERIAL NUMBER BRIEF LEGAL DESCRIPTION DATE OF REGISTRATION INST # OF TAX ARREARS CERTIFICATE REDEMPTION DATE TOTAL ARREARS	287 BRUCEDALE AVE SOUTH 07 08110 0370 PLAN 572 LOT 180 OCTOBER 4, 1994 VM195535 OCTOBER 4, 1995 \$7,838.17
B)	PROPERTY ADDRESS SERIAL NUMBER BRIEF LEGAL DESCRIPTION DATE OF REGISTRATION INST # OF TAX ARREARS CERTIFICATE REDEMPTION DATE TOTAL ARREARS	153 EAST 31ST 06 06250 1860 PLAN 561 PT LOT 108 & 109 OCTOBER 4, 1994 VM195532 OCTOBER 4, 1995 \$12,694.33
C)	PROPERTY ADDRESS SERIAL NUMBER BRIEF LEGAL DESCRIPTION DATE OF REGISTRATION INST # OF TAX ARREARS CERTIFICATE REDEMPTION DATE TOTAL ARREARS	167 PARK ROW SOUTH 04 03140 0070 PLAN 297 PT LOT 188 OCTOBER 4, 1994 VM195530 OCTOBER 4, 1995 \$6,280.03
D)	PROPERTY ADDRESS SERIAL NUMBER BRIEF LEGAL DESCRIPTION DATE OF REGISTRATION INST # OF TAX ARREARS CERTIFICATE REDEMPTION DATE TOTAL ARREARS	718 DUNN AVE 05 04030 7710 PLAN 573 LOT 500 & 600 OCTOBER 4, 1994 LT372252 OCTOBER 4, 1995 \$54,727.36
E)	PROPERTY ADDRESS SERIAL NUMBER BRIEF LEGAL DESCRIPTION DATE OF REGISTRATION INST # OF TAX ARREARS CERTIFICATE REDEMPTION DATE TOTAL ARREARS	1308 KING STREET EAST 04 02930 5830 PLAN 478 PT LOT 2 OCOTBER 4, 1994 VM195534 OCTOBER 4, 1995 \$23,131.52
F)	PROPERTY ADDRESS SERIAL NUMBER BRIEF LEGAL DESCRIPTION DATE OF REGISTRATION INST # OF TAX ARREARS CERTIFICATE REDEMPTION DATE TOTAL ARREARS	1658 KING STREET EAST 04 03040 0790 PLAN 585 LOT 45 PT LOT 44 OCTOBER 6, 1994 VM105697 OCTOBER 6, 1995 \$24,300.03
G)	PROPERTY ADDRESS SERIAL NUMBER BRIEF LEGAL DESCRIPTION DATE OF REGISTRATION INST # OF TAX ARREARS CERTIFICATE REDEMPTION DATE TOTAL ARREARS	64 BELVEDERE 08 09040 8760 PLAN 457 PT LOT 11 OCTOBER 6, 1994 VM195703 OCTOBER 6, 1995 \$14,497.84

SCHEDULE "A" to By-law 95-150
EXTENSION AGREEMENTS

H)	PROPERTY ADDRESS	185 FENNELL AVE EAST
	SERIAL NUMBER	08 09010 0670
	BRIEF LEGAL DESCRIPTION	PLAN 495 LOT 93
	DATE OF REGISTRATION	OCTOBER 6, 1994
	INST # OF TAX ARREARS CERTIFICATE	VM195699
	REDEMPTION DATE	OCTOBER 6, 1995
	TOTAL ARREARS	\$15,945.23
I)	PROPERTY ADDRESS	106 KENILWORTH AVE SOUTH
	SERIAL NUMBER	04 03060 8680
	BRIEF LEGAL DESCRIPTION	PLAN 512 LOT 40 PT LOT 39 & 41
	DATE OF REGISTRATION	OCTOBER 20, 1994
	INST # OF TAX ARREARS CERTIFICATE	VM196624
	REDEMPTION DATE	OCTOBER 20, 1995
	TOTAL ARREARS	\$16,543.32

BY-LAW NO. 95 - 151

TO CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON AT ITS MEETING HELD ON THE 11TH DAY OF JULY A.D., 1995.

WHEREAS by Section 9 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario, 1990, the powers of a municipal corporation are to be exercised by its Council;

AND WHEREAS by Sub-section 1 of Section 101 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario 1990, the powers of every Council are to be exercised by by-law.

AND WHEREAS it is deemed expedient that the proceedings of the Council of The Corporation of the City of Hamilton at this meeting be confirmed and adopted by by-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:-

1. The action of The Council of The Corporation of the City of Hamilton in respect to each recommendation contained in the Reports of the Committees and of the local Boards and Commissions and each motion and resolution passed and other action taken by the Council of The Corporation of the City of Hamilton at this meeting is hereby adopted and confirmed as if all such proceedings were expressly in this By-law.
2. The Mayor and the proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the action of the Council of The Corporation of the City of Hamilton referred to in the preceding section hereof.
3. The Mayor, or in the absence of the Mayor, the Acting Mayor, and the City Clerk, or in the absence of the City Clerk, the Acting City Clerk are authorized and directed to execute all documents necessary in that behalf and to affix thereto the seal of The Corporation of the City of Hamilton.

PASSED this

11th

day of July

A.D. 1995



CITY CLERK



MAYOR



THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 95-152

TO INCORPORATE CITY LAND
DESIGNATED AS BLOCK 75 ON PLAN 62M-747
INTO HAWKSWOOD TRAIL

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 297(1) of The Municipal Act, R.S.O. 1990, Chapter M.45 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it expedient to alter a portion of the highway known as Hawkswood Trail by incorporating within its limits the lands described below;

AND WHEREAS the said lands are owned by The Corporation of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The following lands are hereby established and laid out as a public highway to form part of Hawkswood Trail.

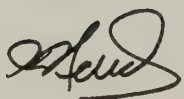
All of Block 75, Plan 62M-747.

City of Hamilton

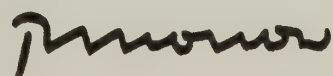
Regional Municipality of Hamilton-Wentworth

2. The Commissioner of Transportation/Environmental Services or his duly authorized agent is hereby authorized to open as public highway the said lands.
3. This by-law comes into force and takes effect on the date of its registration in the Land Registry Office (No. 62).

PASSED this 29th day of August A.D. 1995



City Clerk



Mayor

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 95- 153

TO INCORPORATE CITY LAND
DESIGNATED AS BLOCK 69, PLAN 62M-747
INTO UPPER PARADISE ROAD

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 297(1) of The Municipal Act, R.S.O. 1990, Chapter M.45 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it expedient to alter a portion of the highway known as Artistic Boulevard by incorporating within its limits the lands described below;

AND WHEREAS the said lands are owned by The Corporation of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The following lands are hereby established and laid out as a public highway to form part of Upper Paradise Road.

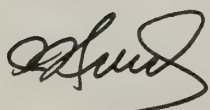
All of Block 69, Plan 62M-747.

City of Hamilton

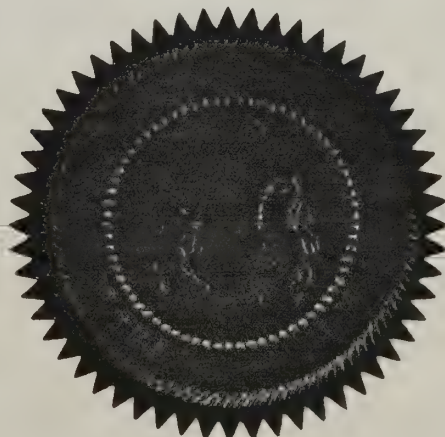
Regional Municipality of Hamilton-Wentworth

2. The Commissioner of Transportation/Environmental Services or his duly authorized agent is hereby authorized to open as public highway the said lands.
3. This by-law comes into force and takes effect on the date of its registration in the Land Registry Office (No. 62).

PASSED this 29th day of August A.D. 1995



City Clerk



Mayor

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAWNO. 95- 154

**SALE OF THE PUBLIC WALKWAY LOCATED
BETWEEN 300 AND 304 ST. ANDREWS DRIVE,
DESIGNATED AS BLOCK ON PLAN M-27,
CLOSED BY BY-LAW95-106**

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 297 of The Municipal Act, Revised Statutes of Ontario, 1990, Chapter M.45, and amendments thereto, to establish and layout, widen, alter, divert, stop-up, lease, close, sell or retain any highway or part of a highway;

AND WHEREAS the Council of The Corporation of the City of Hamilton, in adopting Items 24 and 25 of the 8th Report of the Transport and Environment Committee on 1995 June 27, authorized the City to sell the public walkway between 300 and 304 St. Andrews Drive, designated as Block F, Plan M-27;

AND WHEREAS The Corporation of the City of Hamilton is the owner of the above described lands;

AND WHEREAS Notice of the City's intention to pass this By-Law has been published as required by Section 300 of the Municipal Act for four consecutive weeks in the Hamilton Spectator, a newspaper having general circulation in the City of Hamilton;

AND WHEREAS the Council of The Corporation of the City of Hamilton, through its Transport and Environment Committee, has heard all persons who applied to be heard, no matter whether in objection to or in support of this By-Law;

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. That the sale of the following portions of the public walkway is hereby authorized;

The northerly half of Block F, Plan M-27, having frontage along the easterly limit of St. Andrews Drive of 1.524m (5 feet) more or less by 31.089m (102 feet) more or less, lying immediately south of Lot 40, Plan M-27, being No. 304 St. Andrews Drive.

The southerly half of Block F, Plan M-27, having frontage along the easterly limit of St. Andrews Drive of 1.524m (5 feet) more or less by 31.089m (102 feet) more or less, lying immediately north of Lot 41, Plan M-27, being No. 300 St. Andrews Drive.

City of Hamilton
Regional Municipality of Hamilton-Wentworth

2. That the soil and freehold of the said southerly half of the public walkway be offered and sold to Joseph Leonard Raberts and Maria Egle Raberts or their successors in title for the sum of \$1.00 in accordance with the provisions of the Offer to Purchase (Highway Closure) dated 1995 June 2, subject to the Highway Closing and Sale Purchases in the Registry Act and the Municipal Act.

3. That the soil and freehold of said northerly half of the public walkway be offered and sold to John Balsilli Ross and Christina W. Ferns Rosss or their successors in title for the sum of \$1.00 in accordance with the provisions of the Offer to Purchase (Highway Closure) dated 1995 June 2, subject to the Highway Closing and Sale Purchase in the Registry Act and the Municipal Act.
4. That in the event that the Offer to Purchase the northerly portion of said public walkway is not accepted by the Ross', an Offer will be extended to the owner of No. 300 St. Andrews Drive for the sum of \$1.00 subject to the Highway Closure and Sale Purchase in the Registry and the Municipal Act.
5. That in the event that the Offer to Purchase the southerly portion of said public walkway is not accepted by the Raberts', an Offer will be extended to the owner of No. 304 St. Andrews Drive for the sum of \$1.00 subject to the Highway Closure and Sale Purchase in the Registry and the Municipal Act.

PASSED this

29th

day of

August

A.D. 1995



City Clerk



Mayor

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 95- 155

To Authorize:

1. The construction as Local Improvements as a City initiative (without petition) under Section 12 of the Local Improvement Act of independent concrete sidewalks:

on the south side of Rymal Road East from Upper James Street to Springside Drive, as described in Schedule "A";
2. The imposition of a special assessment upon the lands of the abutting owners in respect of the abutting owners' portion of the cost of the works;
3. The preparation of plans, specifications, and reports and the supervision of the construction by the Commissioner of Transportation/Environmental Services.

WHEREAS the Council of The Corporation of the City of Hamilton did decide to authorize preparation of this by-law because it is expedient to undertake the works hereinafter described as local improvements, without petition on the initiative of Council, (Item 14 of the 7th Report of the Transport and Environment Committee on May 30, 1995);

AND WHEREAS the Council of The Corporation of the City of Hamilton did authorize that the Corporation's portion of the cost of the proposed works be paid out of current revenues, (Item 20 of the 15th Report of the Finance and Administration Committee on May 30, 1995);

AND WHEREAS notice of Council's intention to undertake the works as local improvements has been given by publication of the notice and by service of it upon the owners of the lots liable to be specially assessed under Section 12 of the Local Improvement Act, R.S.O. 1990, Chapter L.26;

AND WHEREAS a majority of the owners, representing at least one-half of the value of the lots that are liable to be specially assessed, have not, within one (1) month after publication, petitioned the Council not to proceed with the works;

AND WHEREAS the Council has obtained reports, estimates and statements required for the undertaking of the said works;

AND WHEREAS the Council of The Corporation of the City of Hamilton intends to raise the Corporation's portion of the cost of the works out of its current revenues and to raise the abutting owners' portion of the costs by borrowing the required funds through the Region's issuance of debentures until said abutting owners' portion of the cost is paid by the special assessment;

AND WHEREAS the Regional Municipalities Act, R.S.O. 1990, Chapter R.8 provides (section 111) that "no area municipality has power to issue debentures", and that the Regional Council may borrow money for the purposes of any area municipality;

AND WHEREAS the Ontario Municipal Board Act, R.S.O. 1990, Chapter O.28, section 65, states that a municipality shall not authorize any work the cost of which is to be raised in a subsequent year or years until the approval of the Board has first been obtained;

AND WHEREAS the Local Improvement Act, (section 53(7)) states that the amount of monies borrowed in respect of the abutting owners' portion of the cost of the works "...shall not be deemed to be part of the existing debenture debt of the Corporation within the meaning of the provisions of the Municipal Act limiting the borrowing powers of the municipality";

AND WHEREAS Ontario Regulation 710/92 prescribed pursuant to the Municipal Act, R.S.O. 1990, Chapter M.45, establishes a limit for the City of Hamilton's debt obligations which do not require approval of the Ontario Municipal Board;

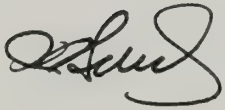
AND WHEREAS the financial commitments, liabilities and debts of the local improvement works listed herein, being financed by debentures to be issued by the Region on behalf of the City, together with the City of Hamilton's other financial obligations and debts, do not exceed the City's maximum permitted debt and financial obligation limit prescribed by Ontario Regulation 710/92 and therefore, approval of the Ontario Municipal Board to issuance of debentures by the Region hereinafter described is not required.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

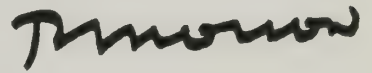
1. The construction of the works more particularly described in Schedule "A" hereto annexed and forming part of this by-law, may be proceeded with under the Local Improvement Act, at an estimated cost not to exceed \$74,800.
2. The portion of the estimated cost of the works in the amount of \$50,666.70 shall be borne by the owners of the lands abutting directly on the works and the estimated cost per metre thereof (set out in Schedule "A" attached hereto,) shall be rated and specially assessed upon the lots abutting directly on the works, according to the extent of their respective frontages therein, by an equal special rate per metre of such frontage payable in equal annual instalments until fully paid.
3. Pending payment of the abutting owners' portion of the total cost referred to in Section 2, the said share or portion shall be financed by the issue of debentures by The Regional Municipality of Hamilton-Wentworth on behalf of the City of Hamilton,
 - (a) to the extent sufficient to provide an amount not exceeding \$50,666.70;
 - (b) repayable over a term not exceeding twenty (20) years, chargeable to The Corporation of the City of Hamilton.
4. The Commissioner of Transportation/Environmental Services is hereby authorized to,
 - (a) prepare all necessary plans, specifications and reports required for the construction of the works; and,
 - (b) supervise construction of the works.

5. The Mayor and City Clerk are hereby authorized to execute, on behalf of The Corporation of the City of Hamilton, all contracts necessary for the construction of the works.

PASSED this 29th day of August A.D. 1995.



CITY CLERK



MAYOR

(1995) 7 R.T.E.C. 14, May 30
(1995) 15 R.F.A.C. 20, May 30

SCHEDULE "A"

Construction of an independent concrete sidewalk

on the south side of Rymal Road East from Upper James Street to Springside Drive.

at the estimated cost not exceeding the following:

City's Share	\$ 24,133.30
Abutting Owners' Share	<u>50,666.70.</u>
TOTAL ESTIMATED COST	\$74,800.
Estimated Cost per metre frontage payable by the abutting owners in Fifteen (15) annual instalments	\$115.

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 95- 156

To Authorize:

1. The construction as Local Improvements as a City initiative (without petition) under Section 12 of the Local Improvement Act of independent concrete sidewalks:
 - a) on the east side of Upper Gage Avenue from Stone Church Road to Quail Drive and from approximately 72m south of Loconder Drive (south limit of No.1285) to Loconder Drive as described in Schedule "A";
2. The imposition of a special assessment upon the lands of the abutting owners in respect of the abutting owners' portion of the cost of the works;
3. The preparation of plans, specifications, and reports and the supervision of the construction by the Commissioner of Transportation/Environmental Services.

WHEREAS the Council of The Corporation of the City of Hamilton did decide to authorize preparation of this by-law because it is expedient to undertake the works hereinafter described as local improvements, without petition on the initiative of Council, (Item 20 of the 6th Report of the Transport and Environment Committee on May 9, 1995);

AND WHEREAS the Council of The Corporation of the City of Hamilton did authorize that the Corporation's portion of the cost of the proposed works be paid out of current revenues, (Item 5 of the 14th Report of the Finance and Administration Committee on May 9, 1995);

AND WHEREAS notice of Council's intention to undertake the works as local improvements has been given by publication of the notice and by service of it upon the owners of the lots liable to be specially assessed under Section 12 of the Local Improvement Act, R.S.O. 1990, Chapter L.26;

AND WHEREAS a majority of the owners, representing at least one-half of the value of the lots that are liable to be specially assessed, have not, within one (1) month after publication, petitioned the Council not to proceed with the works;

AND WHEREAS the Council has obtained reports, estimates and statements required for the undertaking of the said works;

AND WHEREAS the Council of The Corporation of the City of Hamilton intends to raise the Corporation's portion of the cost of the works out of its current revenues and to raise the abutting owners' portion of the costs by borrowing the required funds through the Region's issuance of debentures until said abutting owners' portion of the cost is paid by the special assessment;

AND WHEREAS the Regional Municipalities Act, R.S.O. 1990, Chapter R.8 provides (section 111) that "no area municipality has power to issue debentures", and that the Regional Council may borrow money for the purposes of any area municipality;

AND WHEREAS the Ontario Municipal Board Act, R.S.O. 1990, Chapter O.28, section 65, states that a municipality shall not authorize any work the cost of which is to be raised in a subsequent year or years until the approval of the Board has first been obtained;

AND WHEREAS the Local Improvement Act, (section 53(7)) states that the amount of monies borrowed in respect of the abutting owners' portion of the cost of the works "...shall not be deemed to be part of the existing debenture debt of the Corporation within the meaning of the provisions of the Municipal Act limiting the borrowing powers of the municipality";

AND WHEREAS Ontario Regulation 710/92 prescribed pursuant to the Municipal Act, R.S.O. 1990, Chapter M.45, establishes a limit for the City of Hamilton's debt obligations which do not require approval of the Ontario Municipal Board;

AND WHEREAS the financial commitments, liabilities and debts of the local improvement works listed herein, being financed by debentures to be issued by the Region on behalf of the City, together with the City of Hamilton's other financial obligations and debts, do not exceed the City's maximum permitted debt and financial obligation limit prescribed by Ontario Regulation 710/92 and therefore, approval of the Ontario Municipal Board to issuance of debentures by the Region hereinafter described is not required.

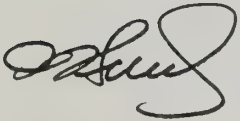
NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The construction of the works more particularly described in Schedule "A" hereto annexed and forming part of this by-law, may be proceeded with under the Local Improvement Act, at an estimated cost not to exceed \$24,790.
2. The portion of the estimated cost of the works in the amount of \$21,415. shall be borne by the owners of the lands abutting directly on the works and the estimated cost per metre thereof (set out in Schedule "A" attached hereto,) shall be rated and specially assessed upon the lots abutting directly on the works, according to the extent of their respective frontages therein, by an equal special rate per metre of such frontage payable in equal annual instalments until fully paid.
3. Pending payment of the abutting owners' portion of the total cost referred to in Section 2, the said share or portion shall be financed by the issue of debentures by The Regional Municipality of Hamilton-Wentworth on behalf of the City of Hamilton,
 - (a) to the extent sufficient to provide an amount not exceeding \$21,415.;
 - (b) repayable over a term not exceeding twenty (20) years, chargeable to The Corporation of the City of Hamilton.
4. The Commissioner of Transportation/Environmental Services is hereby authorized to,
 - (a) prepare all necessary plans, specifications and reports required for the construction of the works; and,
 - (b) supervise construction of the works.

5. The Mayor and City Clerk are hereby authorized to execute, on behalf of The Corporation of the City of Hamilton, all contracts necessary for the construction of the works.

PASSED this 29th day of August

A.D. 1995.



CITY CLERK



MAYOR

(1995) 6 R.T.E.C. 20, May 9
(1995) 14 R.F.A.C. 5, May 9

SCHEDULE "A"

Construction of an independent concrete sidewalk

on the east side of Upper Gage Avenue from Stone Church Road to Quail Drive and from approximately 72m south of Loconder Drive (south limit of No. 1285) to Loconder Drive,

at the estimated cost not exceeding the following:

City's Share	\$ 3,375.
Abutting Owners' Share	<u>21,415.</u>
TOTAL ESTIMATED COST	\$24,790.
Estimated Cost per metre frontage payable by the abutting owners in Fifteen (15) annual instalments	\$115.

BY-LAW NO. 95 - 157

TO AMEND BY-LAW NO. 89-72 TO REGULATE TRAFFIC

THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON ENACTS AS FOLLOWS:

TRAFFIC

1. **Schedule 10 (Stops at Intersections)** of By-law 89-72 To Regulate Traffic passed on the 28th day of February 1989 is hereby amended by adding thereto the following items, namely:-

"Barnesdale	Northbound and Southbound	Cannon
Evans	Eastbound and Westbound	Emerald
Acadia	Northbound	Acadia/Annapolis
Gagliano	Eastbound and Westbound	Cellini
East 5th	Northbound	Empress
Denten	Westbound	Loyalist
Perthshire	Southbound	Brigade
Graystone	Southbound	Glenvale".

2. **Schedule 29 (No Stopping Areas)** is hereby amended by adding thereto the following items, namely:-

"Maplewood	North	Springer to 82 feet east	Anytime
South	North	Dundurn to 40 feet east	Anytime".

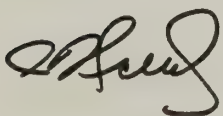
3. **Schedule 35 (Wheelchair Loading Zones)** is hereby amended by adding thereto the following item, namely:-

"Mary	East	20 feet	31 feet north of King William	8:00 am - 8:00 pm".
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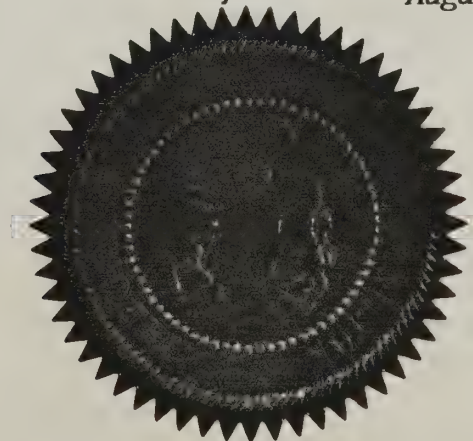
and by deleting therefrom the following item, namely:-

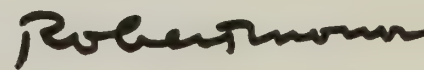
"Mary	East	20 feet	76 feet north of King William	8:00 am - 8:00 pm".
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PASSED this 29th day of August A.D. 1995.



CITY CLERK





MAYOR

BY-LAW NO. 95 - 158

TO AMEND BY-LAW NO. 89-72 TO REGULATE TRAFFIC

THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON ENACTS AS FOLLOWS:

TRAFFIC

1. **Schedule 9 (Through Highways)** of By-law 89-72 To Regulate Traffic passed on the 28th day of February 1989 is hereby amended by adding thereto the following item, namely:-

"Cannon Street, from the southerly limit of Britannia to the westerly limit of Lottridge".

and by deleting therefrom the following item, namely:-

"Cannon Street from the southerly limit of Britannia to the easterly limit of Sherman Avenue".

2. **Schedule 34 (Sticker Permit Parking)** is hereby amended by adding thereto the following items, namely:-

"Rebecca	North	commencing at a point 84 feet west of Cathcart to a point 19 feet westerly therefrom	Anytime
Douglas	East	Keith to T.H.&B. Tracks	Anytime
Douglas	West	commencing at a point 79 feet south of Mars to a point 20 feet southerly therefrom	Anytime
Leeming	West	commencing at a point 46 feet south of Wright to a point 18 feet southerly therefrom	Anytime
Catharine	Both	Burlington to Brock	Anytime
Tragina	West	commencing at a point 25 feet north of Central to a point 29 feet northerly therefrom	Anytime".

and by deleting therefrom the following items, namely:-

"Frederick	East	commencing at a point 72 feet north of Britannia to a point 21 feet northerly therefrom	Anytime
Frederick	West	commencing at a point 72 feet north of Britannia to a point 22 feet northerly therefrom	Anytime".

3. **Schedule 26 (No Parking Areas)** is hereby amended by adding thereto the following items, namely:-

"Hillview	East	from the south end to 30 feet northerly	Anytime
Bunker Hill	West	Greenhill to Par	Anytime
Laura	North	Woodman to a point 119 feet westerly therefrom	Anytime
Catharine	East	Cannon to 214 feet northerly therefrom	Anytime
Emerald	West	Barton to Robert	Anytime
Rockway	North & West	from a point 233 feet east of Parkwood to the northerly end	Anytime
Rockway	South & East	from a point 271 feet east of Parkwood to the northerly end	Anytime
Chris	West	Skyview to a point 97 feet southerly	Anytime".

and by deleting therefrom the following items, namely:-

"Templemead Forest	South & West	Independence to the south property line of No. 314 Templemead	Anytime
	South	John to 128 feet west	8 am - 6 pm".

4. **Schedule 27 (Alternate Side Parking)** is hereby amended by deleting therefrom the following items, namely:-

"Douglas Street Burton to Mars	East	West
Emerald Street Main Street to Burton Street	East	West".

and by adding thereto the following items, namely:-

"Douglas Keith to Mars	East	West
Maple Kenilworth to Crosthwaite	North	South
Emerald Main to Robert	East	West".

5. **Schedule 24 (Parking Meter Locations)** is hereby amended:

(a) by deleting from **Section 2A (Two Hour Limit)** the following items, namely:-

"King (Northerly Branch)	North	Paisley to Marion
King (Southerly Branch)	South	Paisley to Marion".

(b) by deleting from **Section 1A (Three Hour Limit)** the following items, namely:-

"King (Northerly Branch)	South	Paisley to Marion
King (Southerly Branch)	North	Paisley to Marion".

and by adding thereto the following items, namely:-

"King (Northerly Branch)	Both	Paisley to Marion
King (Southerly Branch)	Both	Paisley to Marion".

6. **Schedule 25 (Parking Time Limits)** is hereby amended by adding thereto the following items, namely:-

"Forest	South	John to 128 feet west	3 hr	8 am - 6 pm	Mon-Fri
West 35th	West	Leslie to Scenic	1 hr	8 am - 4 pm	Mon-Fri
Locke	East	from a point 65 feet south of Herkimer to a point 48 feet southerly therefrom	1/2 hr	8 am - 6 pm	Mon-Fri
Whitney	Both	Broadway to Emerson	1 hr	8 am - 6 pm	Mon-Fri
Picton	Both	Bay to MacNab	1 hr	Anytime".	

PASSED this

29th

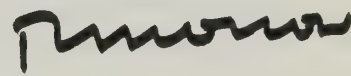
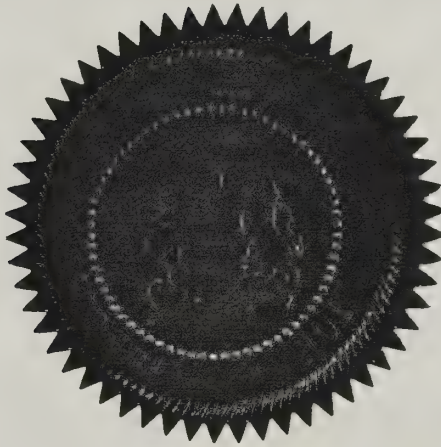
day of

August

A.D. 1995.



CITY CLERK



MAYOR

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 95-159

TO AMEND

PARKS BY-LAW 95-126

WHEREAS the Council of the Corporation of the City of Hamilton believes it is desirous to amend By-law 95-126,

THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON ENACTS AS FOLLOWS:-

1. **Section 1 (Definition)** of the Parks By-law 95-126 passed and enacted on the 30th day of May 1995 is hereby deleted in its entirety and the following substituted therefor:

- "Definition 1.
- (a) *Authorized Sign* means any sign, notice, other device placed or erected in or upon a Park under the authority of this By-law;
 - (b) *Bicycle* includes a tricycle and unicycle, but does not include a motor assisted bicycle;
 - (c) *City* means the City of Hamilton;
 - (d) *Control* includes care and custody;
 - (e) *Council* means the council of the Corporation of the City of Hamilton;
 - (f) *Commercial Motor Vehicle* means a Motor Vehicle having attached to it a truck or delivery body of unit;
 - (g) *Designated Area* means any area defined or constructed for a specific use which may include Posted conditions;
 - (h) *Director* means the Commissioner of Public Works and Traffic or the Director of Culture and Recreation of the City or their designate; except where otherwise noted;
 - (i) *Motor Vehicle* means a Motor Vehicle within the meaning of the Highway Traffic Act, R.S.O. 1990, C.H.8 as may be amended from time to time;
 - (j) *Motorized Recreational Vehicle* means a snowmobile, go-cart, trail bike, mini bike, all-terrain Vehicle, or similar Vehicle, propelled or driven by an internal combustion engine;
 - (k) *Organized Sport or Activity* means a sport, game or activity pre-planned by a group or organization whether or not formally constituted and whether or not the players or members wear uniforms;

- (l) *Permit* means any written authorization of Council, a committee established by Council, the Director where such authority has been delegated or the Director of Culture and Recreation where such authority has been delegated.
- (m) *Post or Posted* refers to the erection or presence of permissive, regulatory, restrictive, warning or prohibitive signs and "Posted Area" means an area where such signs are erected;
- (n) *Park* means any land, and land covered by water and all portions thereof owned by or made available by lease agreement, or otherwise to the City, that is or hereafter may be established, dedicated, set apart or made available for use as a public open space or golf course, and that has been or hereafter may be placed under the jurisdiction of the Director including any and all buildings, structures, facilities, erections, and improvements located in or on such land, save and except where such land is governed by other By-laws of the City;
- (o) *Persons with disabilities* includes any person who is blind or who has any degree of physical disability, which requires the physical reliance on a wheelchair, crutches, braces, canes or other similar remedial appliance or device;
- (p) *Public Parking Area or Parking Space* means any area of the Park on which there is an Authorized Sign designated by the City for such purpose;
- (q) *Residence* means a place that is actually occupied or used as a residential building;
- (r) *Roadway* means that part of a Park that is set aside for the use of vehicular traffic.
- (s) *Vehicle* includes a Motor Vehicle as defined under the Highway Traffic Act, R.S.O. 1990, c.H.8, as may be amended from time to time, and any bicycle, carriage, wagon, sleigh or other Vehicle or conveyance of every description, whatever the mode of power, but excludes wheelchair or similar device (powered or otherwise) used by an individual due to disability, baby carriage or cart, child's wagon, child's stroller, child's sleigh or other conveyance of like nature; and
- (x) *Watercraft* means any device for conveyance in or on water and includes but is not limited to power boats, row boats, sailboats, sailboards, canoes, kayaks, or dinghies."

2. **Section 49 (Penalty)** of the said By-law is hereby amended by adding thereto the following Sub-sections, namely:-

"49(4) A police officer or provincial offences officer observing a vehicle alleged to be parked;

(a) at a parking space for a period of time longer than the period of time permitted; or

(b) at any location where parking is prohibited,

may attach a serially numbered parking infraction notice to the motor vehicle.

49(5) Any person upon presentation of the parking infraction notice may, within 7 days pay a penalty out of Court in the amount of:

(a) not less than \$10.00 in the case of a vehicle parked longer than the period of time permitted; or

(b) not less than \$20.00 in the case of a vehicle parked where parking is prohibited."

3. The said By-law is further amended by adding thereto the following section, namely:-

"55 Any reference to By-law 89-74 shall be a reference to this By-law."

4. The said By-law is further amended by adding thereto the following section, namely:-

"Signs 28A.(1) There shall be erected one or more of the following signs in a Park:

1. Signs displaying the symbol for "No Parking" as specified under The Highway Traffic Act.
2. Signs displaying the word "Yield", or symbol in lieu thereof, specified under The Highway Traffic Act.
3. Signs displaying the word "Stop", or a symbol in lieu thereof, specified under The Highway Traffic Act.
4. Signs displaying the maximum speed limit, specified under The Highway Traffic Act.
5. Signs displaying the symbol for "No "U" Turns", specified under The Highway Traffic Act.
6. Signs indicating "One Way Traffic" specified in Part A to schedule 1 of the By-law No. 89-72.
7. Signs indicating lane use designated, specified in Part C of schedule 1 of By-law No. 89-72.
8. Signs indicating that roadway or drive is closed to vehicular traffic or to a particular class of vehicular traffic.
9. Signs indicating a public parking area.
10. Signs indicating time limit for parking.

11. Signs indicating service roads.

(2) The signs referred to in subsection 1 may contain,

- (a) an exception relating to an activity permitted in a particular area;
- (b) additional information relating to the regulation of traffic.

5. The said By-law is further amended:

- a) by deleting from the first line of **Subsection 29(c)** the following words, namely:-

"stop or"

- b) by deleting **Subsection 29(d)** in its entirety and by substituting therefor the following, namely:-

"park a Vehicle in a Parking Space reserved for persons with disabilities unless a disabled person parking permit issued in accordance with the provisions of the Highway Traffic Act, R.S.O. 1990, cH.8, as may be amended from time to time, is properly displayed on or in the Vehicle; or".

- c) by adding thereto the following subsection, namely:-

"One-way traffic 34A No person shall drive a vehicle on a one-way roadway in a direction opposite to the direction of the traffic."

- d) by deleting from the first line of **Section 36(1)(b)** the following words, namely:-

"blind persons or hearing impaired persons"

and by substituting therefore the following words, namely:-

"persons with disabilities".

- e) by deleting from the first line of **Section 36(2)(b)** the following words, namely:-

"excluding disabled persons".

- f) by adding thereto the following subsection, namely:-

"Hours of Entrance 2(1) No person shall enter into, or be in any Park between the hours of half past eleven in the afternoon and six o'clock in the forenoon, except where after hours use of a Park has been approved by the City".

- g) by deleting **Section 2 (Restricted Areas)** and by substituting therefor the following, namely:-

"Restricted Areas 2(2) While in a Park, no person shall enter into areas posted to prohibit or restrict admission of the public".

h) by deleting Subsection 11(1) (Alcohol) in its entirety and by substituting therefor, the following namely:-

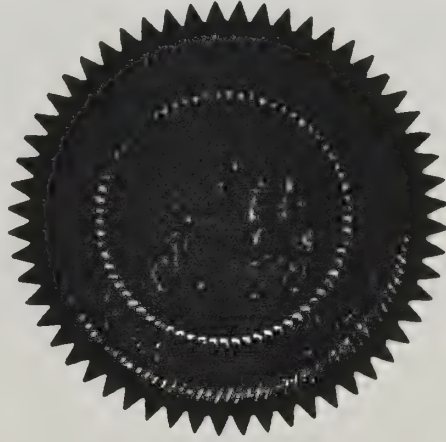
"(1) no person shall be in possession of, consume, serve or sell alcoholic beverages unless authorized by Permit issued by Council and with the approval of the Liquor Licence Board of Ontario; and".

PASSED AND ENACTED THIS 29th DAY OF August

A.D. 1995.



CITY CLERK



MAYOR

The Corporation of the City of Hamilton

BY-LAW NO. 95-160

To Amend:

Zoning By-law No. 6593

As Amended By Zoning By-law No. 92-003

and To Repeal Zoning By-law No. 93-233

Respecting:

LAND LOCATED AT MUNICIPAL NO. 1341 UPPER JAMES STREET

WHEREAS the Council of The Corporation of the City of Hamilton passed Zoning By-law No. 6593 on the 25th day of July 1950, which by-law was approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS the Council of The Corporation of the City of Hamilton passed By-law No. 92-003 on the 10th day of December 1991 to change the zoning and to establish special requirements under Section 19B of Zoning By-law No. 6593, for the "HH" District, in respect of the above-captioned lands, the extent and boundaries of which are shown on a plan thereto annexed as Schedule "A";

AND WHEREAS the Ontario Municipal Board by its Memorandum of Oral Decision and Order (File No. R 920072), dated the 27th day of January 1993, as further amended by the Board on April 8, 1993, directed that By-law No. 92-003 be amended to include the site plan;

AND WHEREAS the Council of The Corporation of the City of Hamilton passed By-law No. 93-087 on the 13th day of April 1993 to amend By-law No. 92-003 by adding thereto Schedule "B", being the site plan;

AND WHEREAS the Ontario Municipal Board approved a revised site plan, submitted by the applicant, which said revised site plan was attached to By-law No. 92-003 as Schedule "B" by By-law No. 93-233, passed on the 30th day of November 1993;

AND WHEREAS By-law No. 93-087 being redundant was therefore repealed by By-law No. 93-233;

AND WHEREAS the Ontario Municipal Board by its Amending Memorandum of Oral Decision and Order (File No. R 920072), directed that inclusion of the site plan to By-law No. 92-003 as a schedule was not required;

AND WHEREAS By-law No. 93-233 is redundant and can therefore be repealed;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

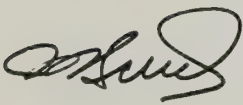
NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. By-law No. 93-233 is hereby repealed in its entirety.
2. In all other respects, By-law No. 92-003, is hereby confirmed, unchanged.

PASSED this *29th* day of

August

A.D. 1995



CITY CLERK




MAYOR

(1991) 10 R.P.D.C. 19, June 25
 Amending Ontario Municipal Board
 Memorandum of Oral Decision and Order
 W. Alex Hemstreet, Owner
 Amended ZA-91-14

The Corporation of the City of Hamilton

BY-LAW NO. 95- 161

To Designate:

**LAND LOCATED AT MUNICIPAL NOS. 207, 211, 213
and 215 FERGUSON AVENUE SOUTH**

As Property of:

HISTORIC AND ARCHITECTURAL VALUE AND INTEREST

WHEREAS the Council of The Corporation of the City of Hamilton did give notice of its intention to designate the property mentioned in section 1 of this by-law in accordance with subsection 29(3) of the Ontario Heritage Act, R.S.O. 1990, Chapter O.18;

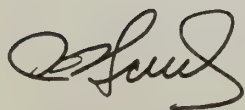
AND WHEREAS no notice of objection was served on the City Clerk as required by subsection 29(5) of the said Act;

AND WHEREAS it is desired to designate the property mentioned in section 1 of this by-law in accordance with clause 29(6)(a) of the said Act.

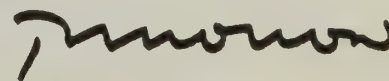
NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The property located at Municipal Nos. 207, 211, 213 and 215 Ferguson Avenue South and more particularly described in Schedule "A" hereto annexed and forming part of this by-law, is hereby designated as property of historic and architectural value and interest.
2. The City Solicitor is hereby authorized and directed to cause a copy of this by-law, together with reasons for the designation set out in Schedule "B" hereto annexed and forming part of this by-law, to be registered against the property affected in the proper registry office.
3. The City Clerk is hereby authorized and directed,
 - (i) to cause a copy of this by-law, together with reasons for the designation, to be served on the owner and The Ontario Heritage Foundation by personal service or by registered mail;
 - (ii) to publish a notice of this by-law in a newspaper having general circulation in the Municipality of the City of Hamilton for three consecutive weeks.

PASSED this *29th* day of *August* A.D. 1995



CITY CLERK

MAYOR

Schedule "A"

To

By-law No. 95- 161

207, 211, 213 and 215 Ferguson Avenue South, Hamilton, Ontario

207 FERGUSON AVENUE SOUTH

In the City of Hamilton, in the Regional Municipality of Hamilton-Wentworth and being composed of part of Lot Number Eight on the east side of Ferguson Avenue between Forest and Charlton Avenues according to the Survey of the late Samuel Mills, Plan 1436, more particularly described as follows, that is to say:-

COMMENCING at a point in the easterly limit of Ferguson Avenue distant twenty-nine feet ten and three-eighths inches (29' 10-3/8") measured southerly from the northwesterly angle of said Lot Number Eight;

THENCE southerly along the said easterly limit of Ferguson Avenue twenty feet four and one-eighth inches (20' 4-1/8") to a point where a line drawn through the middle of the partition wall between the brick dwellings known as Numbers 207 and 209 Ferguson Avenue South, will when produced intersect the said easterly limit of Ferguson Avenue;

THENCE easterly along said line so produced and

THENCE continuing in a straight line through the middle partition wall and to the westerly limit of an alleyway at the rear of said Lot Number Eight, ninety-nine feet (99') more or less;

THENCE northerly along the westerly limit of said alleyway twenty feet four and one-eighth inches (20' 4-1/8") to a point distant twenty-nine feet ten and three-eighths inches (29' 10-3/8") measured southerly from the northeast angle of said Lot Number Eight (8);

THENCE westerly in a straight line ninety-nine feet (99') more or less to the place of beginning.

As in Instrument Number 072099.

211 FERGUSON AVENUE SOUTH

All and Singular that certain parcel of land and premises in the City of Hamilton, in The Regional Municipality of Hamilton-Wentworth, and Province of Ontario, being composed of Part of Lot Nine (9) at the Northeast corner of Ferguson and Charlton Avenues according to the Survey of the late Samuel Mills more particularly described as follows, that is to say:

COMMENCING at a point in the easterly limit of Ferguson Avenue where a line drawn through the middle of the partition wall between brick dwellings numbers 213 and 211 Ferguson Avenue South will when produced intersect the said easterly limit of Ferguson Avenue, said point being distant Thirty-seven Feet Seven Inches (37' 7") measured northerly from the Southwest angle of said Lot;

THENCE easterly along the said line so produced and then continuing in a straight line through the middle of said partition wall and to the rear of said lot being the westerly limit of an alleyway Ninety-nine Feet (99');

THENCE northerly along the westerly limit of said alleyway Fifteen Feet, Ten Inches (15' 10") to a point where a line drawn through the middle of the partition wall between brick dwellings numbers 211 and 209 Ferguson Avenue South will when produced intersect the said westerly limit of said alleyway;

THENCE westerly along said line so produced; and

THENCE continuing in a straight line through the middle of said partition wall and to the easterly limit of Ferguson Avenue;

THENCE southerly along the easterly limit of Ferguson Avenue Fifteen Feet Ten Inches (15' 10") to the place of beginning.

TOGETHER WITH the right to use the partition wall between said dwellings 213 and 211 and 209 Ferguson Avenue South as a party wall in common with the owners and occupiers of Numbers 213 and 209 Ferguson Avenue South forever.

Being part of Lots Eight (8) and Nine (9). The premises herein are known as Municipal Number 211 Ferguson Avenue South.

As in Instrument Number 374212 C.D.

213 FERGUSON AVENUE SOUTH

All and Singular that certain parcel or tract of land and premises situate, lying and being in the City of Hamilton, in the Regional Municipality of Hamilton-Wentworth, and Province of Ontario, being composed of Part of Lot Number Nine (9) at the northeast corner of Ferguson and Charlton Avenues according to the Survey of the late Samuel Mills, more particularly described as follows, that is to say:

COMMENCING at a point in the easterly limit of Ferguson Avenue where a line drawn through the middle of the partition wall between brick dwellings Numbers 215 and 213 Ferguson Avenue South will when produced intersect the said easterly limit of Ferguson Avenue, said point being distant Twenty-One Feet Nine Inches (21' 9") measured northerly from the south westerly angle of said lot;

THENCE easterly along said line so produced and

THENCE continuing in a straight line through the middle of said partition wall and to the rear of said Lot, being the westerly limit of an alleyway Ninety-nine Feet (99');

THENCE northerly along the westerly limit of the said alleyway Fifteen Feet, Ten Inches (15' 10") to a point where a line drawn through the middle of the partition wall between brick dwellings Numbers 211 and 213 Ferguson Avenue South, will when produced intersect the said westerly limit of said alleyway;

THENCE westerly along said line so produced and

THENCE continuing in a straight line through the middle of said partition wall and to the easterly limit of Ferguson Avenue;

THENCE southerly along the easterly limit of Ferguson Avenue Fifteen Feet, Ten Inches (15' 10") to the place of beginning, together with the right to use the partition walls between said dwellings 213 and 211, and 213 and 215 Ferguson Avenue South as party Walls, in common with the owners and occupants on Numbers 211 and 215 Ferguson Avenue South forever. On which is said to be erected dwelling Number 213 Ferguson Avenue South, Hamilton, Ontario.

As in Instrument Number 380567 C.D.

215 FERGUSON AVENUE SOUTH

All and Singular that certain parcel or tract of land and premises situate lying and being in the said City of Hamilton composed of part of the south half of lot number nine (9) at the north east corner of Ferguson and Charlton Avenues according to the survey of the late Samuel Mills described as follows:

COMMENCING at the south west corner of said lot number nine (9) which point is at the intersection of Ferguson Avenue and Charlton Avenue;

THENCE north along the easterly limit of Ferguson Avenue twenty-one feet nine inches (21' 9") more or less to a point where the production westerly of the centre line of a brick partition wall dividing the house erected on the lands herein described and the house immediately to the north thereof intersects the easterly limit of Ferguson Avenue;

THENCE easterly to and through the centre line of the said partition wall and the continuation thereof easterly one hundred and nine feet (109');

THENCE southerly parallel with the easterly limit of Ferguson Avenue twenty-one feet nine inches (21' 9") more or less to the northerly limit of Charlton Avenue;

THENCE westerly along the northerly limit of Charlton Avenue one hundred and nine feet (109' 0") to the place of commencement.

TOGETHER WITH the right of way with the owners and occupants of houses Nos. 207, 209, 211 and 213 and all other persons entitled thereto to use a strip of land about eleven feet (11') in width lying immediately to the east of the lands herein described as an alleyway. Upon the lands hereby conveyed or intended so to be is erected a brick dwelling known as 215 Ferguson Avenue South, Hamilton.

TOGETHER WITH the use in common of a party wall between Nos. 215 and 213 Ferguson Avenue South, Hamilton.

As in Instrument Number 94245 H.L.

Schedule "B"

to

By-law No. 95 - 161

REASONS FOR DESIGNATION

207, 211, 213, 215 Ferguson Avenue South

Context

207, 211, 213, 215 Ferguson Avenue South make up four units of the five-unit rowhouse built in 1886–7, just north of Charlton Avenue East. Situated in the historic Corktown neighbourhood, this brick terrace overlooking the grounds of Queen Victoria Public School is an integral component of a continuous streetscape of late 19th and early 20th century buildings extending from the base of the escarpment along the east side of Ferguson to Forest Avenue and westward along Forest to Walnut Street. Directly south of Charlton stands the *designated* High Victorian brick rowhouse at 219–227 Ferguson Avenue, and the former high level pumping station built in 1912. The open space opposite #207–215 was once occupied by a row of modest frame and brick dwellings, demolished when the new public school was built in 1963. To the rear of the terrace is a low-rise housing development, built recently on an industrial site formerly occupied by the Armstrong Cartage Company.

With the building of the Hamilton–Lake Erie Railroad in the 1870s, Ferguson Avenue became the city's major north–south railway corridor. Present-day Ferguson Avenue, now that the tracks have been removed, has the potential to be one of Hamilton's most important mountain-to-bay linkages for both vehicular and pedestrian traffic. The historic buildings along Ferguson Avenue take on additional significance due to their location on this major north–south corridor.

Architecture

One record of Hamilton's rapid growth in the latter part of the 19th century is the proliferation of brick rowhousing which appeared in downtown neighbourhoods at this time. Typical of the more modest vernacular terraces erected in the 1880s and 1890s, 207–215 Ferguson Avenue South is one of relatively few surviving examples of this type in the Corktown neighbourhood, notable for its finely crafted wood detailing. Each unit features parapet end or dividing walls with built-in chimneys, two off-centred upper windows, and a single bay window with the hexagonal form characteristic of 1880s rowhousing. Its long front facade, stepped slightly to accommodate the gently sloping site, is dominated by the five large bay windows, originally all featuring sash windows, colonnettes, and bracketed eaves. The exposed brick masonry of units #207 and #213 reveal the original segmental arches over the front doorway and second-storey windows, accentuated by contrasting brick key and corner stones. In their

original form, the doorways were noteworthy for their arched transom lights and wood lintels embellished with rope moulding and fretwork (restored at #213). Beneath the soffits were decorative dentil bands (intact on only two units). Minor alterations have to some extent undermined the architectural integrity of the row as a whole: painting of the brick masonry, parging of parapet walls, replacement of original doors and windows, and removal or covering of decorative wood elements, but these changes are for the most part reversible.

History

Built as an investment property for Margaret McIntyre, the end unit at #207 was initially occupied by John McIntyre from 1887–9. Following Margaret's death, the rowhouse was sold by the executors of her estate in 1919. It then changed hands three more times before being subdivided and sold as five separate units between 1920 and 1921.

Designated Features

Important to the preservation of 207, 211, 213, 215 Ferguson Avenue South are the original features of the west (front), south (#215), and north (#207) facades, including the roof and parapet walls, the doorways and window openings (excluding any modern replacement windows and all five doors), the bay windows, and any surviving original wood trim. Excluded is the added verandah at #215.

The Corporation of the City of Hamilton

BY-LAW NO. 95- 162

To Amend:

Zoning By-law No. 6593

Respecting:

**LANDS LOCATED IN THE AREA NORTH OF EASTGATE COURT
AND WEST OF CENTENNIAL PARKWAY NORTH**

WHEREAS it is intended to change the zoning of the lands hereinafter referred to and to establish special requirements under section 19B of By-law No. 6593 passed on the 25th day of July 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982 and with the Official Plan as amended by Official Plan Amendment No. 106, proposed by the Council of The Corporation of the City of Hamilton as By-law No. 92-073, but not yet approved by The Regional Municipality of Hamilton-Wentworth in accordance with the provisions of Sections 4, 17 and 21 of the Planning Act, R.S.O. 1990, Chapter P.13.

AND WHEREAS the special condition relating to this rezoning, referred to in Section 1 of the 3rd Report of the Planning and Development Committee adopted by City Council on the 11th day of February 1992, has been satisfied.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheets No. E-103 and E-104 of the District Maps, appended to and forming part of By-law No. 6593, are amended,

- (a) by changing from "**L-mr-1**" (Planned Development - Multiple Residential) District to "**L-c**" (Planned Development - Commercial) District; and
- (b) by changing from "**L-c**" (Planned Development - Commercial) District to "**G-3**" (Public Parking Lots) District,

the land, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".

2. The "**G-3**" (Public Parking Lots) District provisions, as contained in Section 13C of Zoning By-law No. 6593, applicable to the lands referred to in section 1 are amended to the extent only of the special requirements that,

- (a) the parking lot shall only be accessory to the use of land located at Nos. 2444-2450 Barton Street East and No. 211 Centennial Parkway North;

- (b) a planting strip not less than 1.5 m in width shall be provided and maintained along the westerly property line;
- (c) a visual barrier not less than 1.2 m in height and not more than 2.0 m in height shall be provided and maintained along the westerly property line.

3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "G-3" District provisions, subject to the special requirements referred to in section 2.

4. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1260.

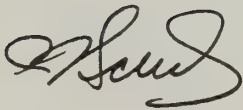
5. Sheets No. E-103 and E-104 of the District Maps are amended by marking the lands referred to in section 1 of this by-law, S-1260.

6. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

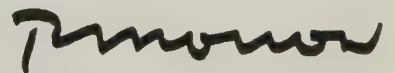
PASSED this 29th day of

August

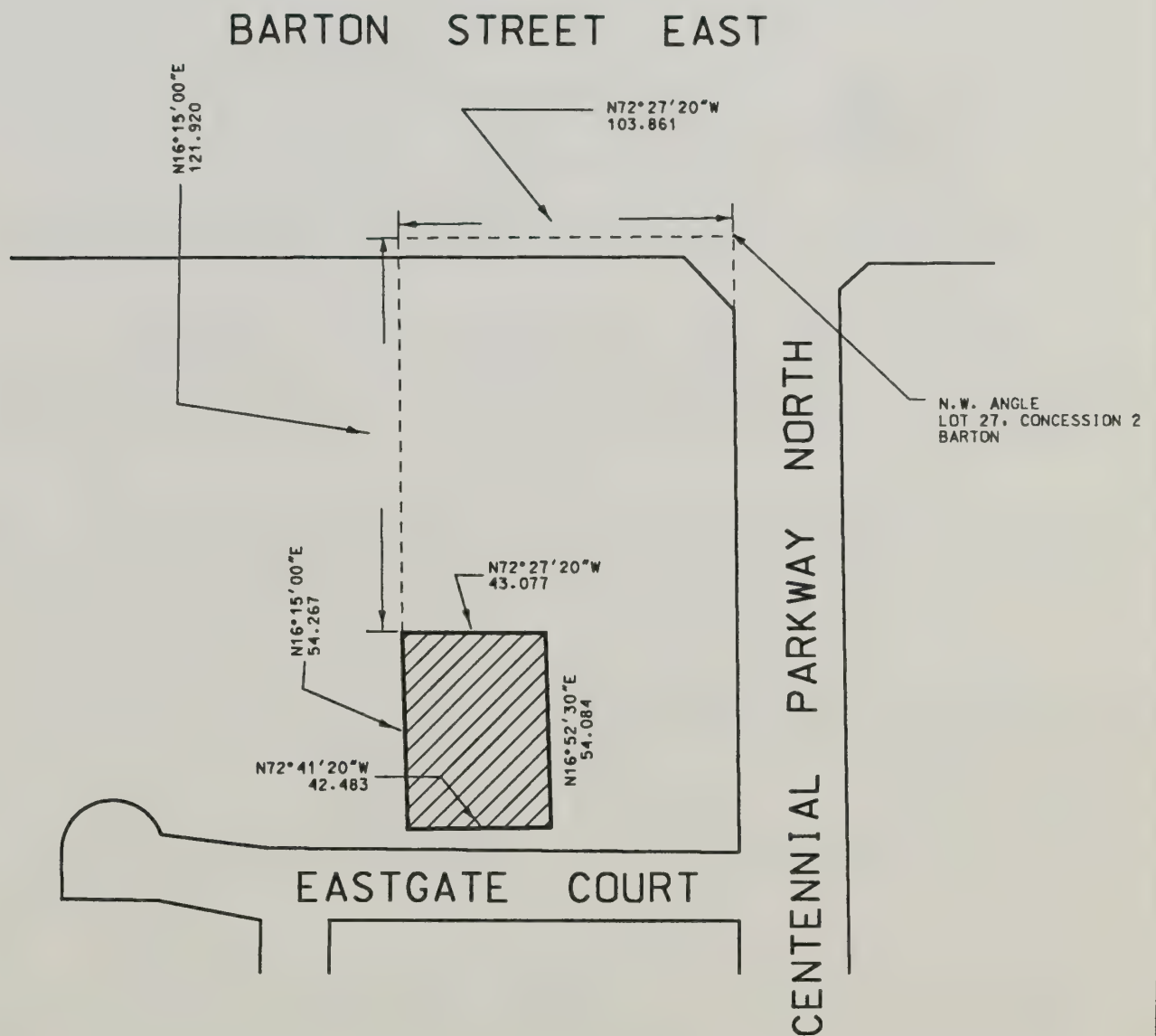
A.D. 1995



CITY CLERK

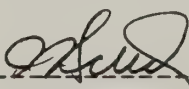



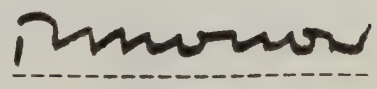
MAYOR



NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 95-162
Passed the 29th day of August, 1995.


Clerk


Mayor

City of Hamilton
Schedule A
Map Forming Part of
By-Law No. 95-162
to Amend By-Law No. 6593
Regional Municipality of Hamilton-Wentworth
Planning and Development Department

Legend

Change in zoning from:



"L-mr-l" (Planned Development-Multiple Residential) District to "G-3" (Public Parking Lots) District, modified.

North 	Scale NOT TO SCALE Date FEBRUARY, 1992	Reference File No. ZA91-62 Drawn By T.A.
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The Corporation of the City of Hamilton

BY-LAW NO. 95-163

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT MUNICIPAL NO. 150 CATHARINE STREET NORTH

WHEREAS it is intended to establish special requirements under section 19B of By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS the special condition relating to this rezoning, referred to in Section 7 of the 21st Report of the Planning and Development Committee adopted by City Council on the 8th day of December 1992, has been satisfied.

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The "D" (Urban Protected Residential - One and Two-Family Dwellings, Townhouses, etc.) District provisions, as contained in Section 10 of Zoning By-law No. 6593, applicable to the lands, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A", are amended to the extent only of the special requirements that,

- (a) notwithstanding Section 10(1) of By-law No. 6593, only a parking lot accessory to the adjoining bakery use located at 104 Cannon Street East shall be permitted, subject to the following conditions:
 - (i) that a landscape planting strip having a minimum width of 1.0 m shall be provided and maintained along the northerly lot line, except for any area used for vehicular access;
 - (ii) that a landscape planting strip not less than 1.5 m in width and a visual barrier not less than 1.2 m and not more than 2.0 m in height shall be provided and maintained along the southerly lot line; and
 - (iii) that a landscape planting strip not less than 2.4 m in width shall be provided and maintained along the westerly lot line, and a visual barrier not less than 1.2 m and not more than 2.0 m in height shall be provided and maintained within the landscape planting strip.

2. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "D" District provisions, subject to the special requirements referred to in section 1.

3. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1297.

4. Sheet No. E-4 of the District Maps is amended by marking the lands referred to in section 1 of this by-law, S-1297.

5. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

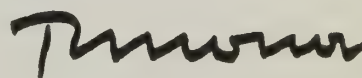
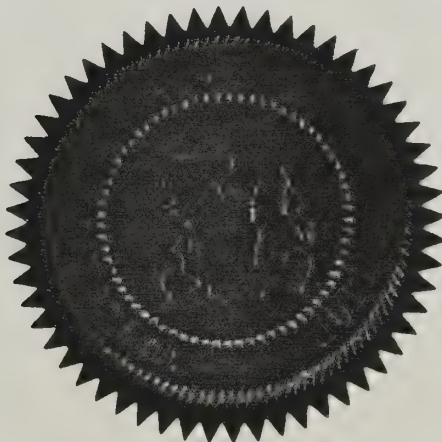
PASSED this 29th day of

August

A.D. 1995



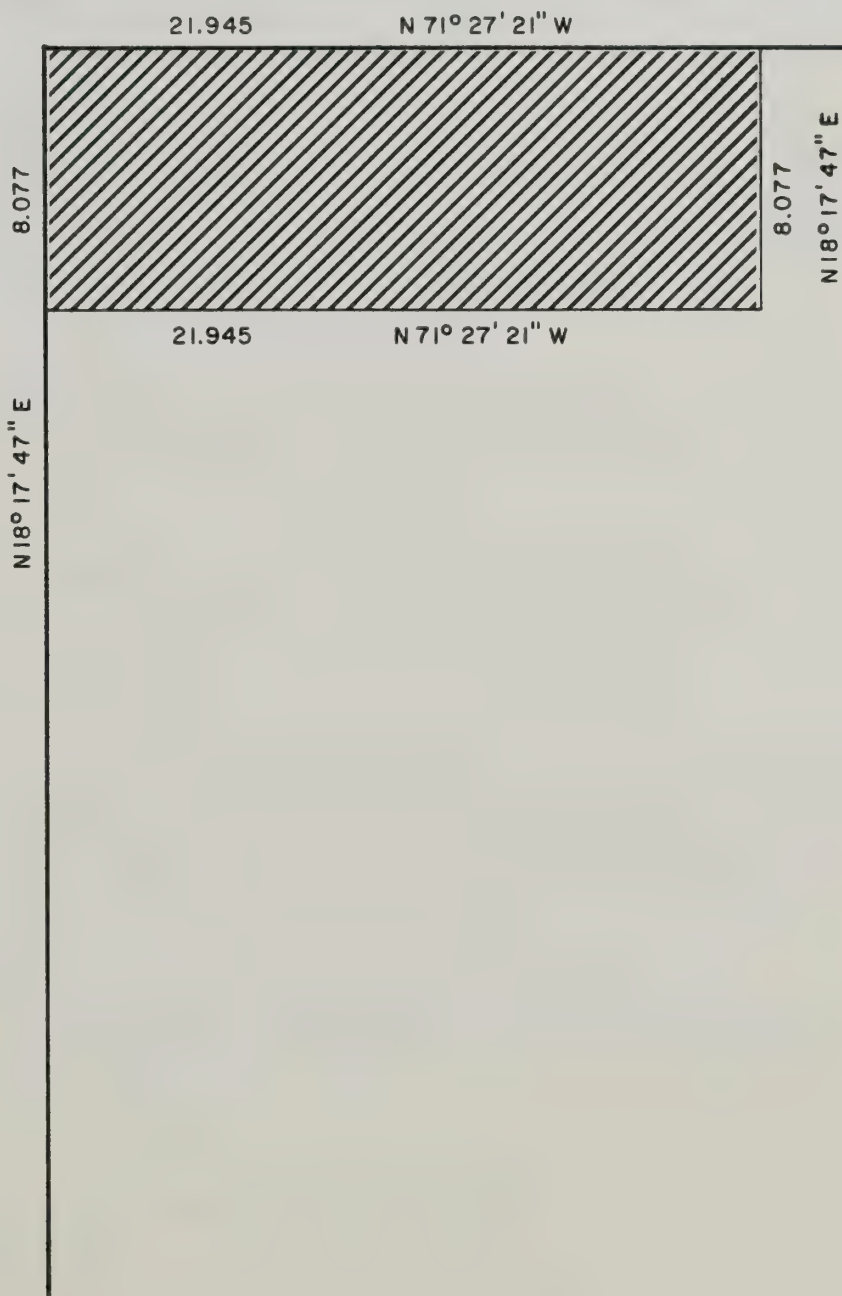
CITY CLERK



MAYOR

CANNON STREET EAST

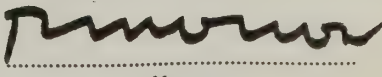
CATHARINE STREET NORTH



NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 95-163.
Passed the 29th day of August, 1995


Clerk


Mayor

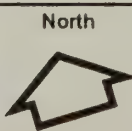
City of Hamilton
Schedule A
Map Forming Part of
By-Law No. 95-163....
to Amend By-Law No. 6593

Regional Municipality of Hamilton-Wentworth
Planning and Development Department

Legend



Lands to be regulated by
By-Law No. 9 -.....



Scale
NOT TO SCALE

Date
DECEMBER 1992

Reference File No.
ZA 92-39

Drawn By
Z.K.

The Corporation of the City of Hamilton

BY-LAW NO. 95-164

To Adopt:

THE CROWN POINT EAST/McANULTY COMMUNITY IMPROVEMENT PLAN

WHEREAS Section 1(a) of By-law No. 94-186, passed on the 8th day of November 1994, (pursuant to subsection 28(2) of the Planning Act, R.S.O. 1990, Chapter P.13), designated the area shown on Schedule "A" thereto as the Crown Point East/McAnulty Neighbourhoods Community Improvement Project Area;

AND WHEREAS it is intended to adopt a community improvement plan for the Crown Point East/McAnulty Neighbourhoods Community Improvement Project Area in accordance with subsection 28(4) of the said Act.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The Crown Point East/McAnulty Community Improvement Plan hereto annexed as Schedule "A" and forming part of this by-law, is hereby adopted as the community improvement plan for the Crown Point East/McAnulty Neighbourhoods Community Improvement Project Area.
2. It is hereby authorized and directed that the approval of the Community Improvement Plan referred to in section 1 shall include approval for the doing of all things for the purposes thereof.
3. This by-law shall come into force and effect on the date of its approval by the Minister of Municipal Affairs.

PASSED this 29th day of August

A.D. 1995



CITY CLERK



MAYOR

CROWN POINT EAST/MCANULTY

SCHEDULE 'A'

COMMUNITY IMPROVEMENT PLAN

DEPARTMENT OF PUBLIC WORKS/PARKS DIVISION

1995 JUNE

TABLE OF CONTENTS

	<u>PAGE NO.</u>
A) Introduction to the Community Improvement Plan	1
B) Neighbourhood Profile	2-3
C) Community Improvement Plan	4-7
D) Conclusion	7

SCHEDULES

"A" Crown Point East/McAnulty Community Improvement Project Area Map also a Neighbourhood(s) Zoning Map	8
"B" Neighbourhood(s) Land Use Map	9-10
"C" City of Hamilton's Official Plan (Sub-section D-10)	11-13

CROWN POINT EAST/MCANULTY COMMUNITY IMPROVEMENT PLAN

Introduction to the Community Improvement Plan

Hamilton City Council approved an allocation of \$400,000. in the 1994 Capital Budget for improvements to the Crown Point East/McAnulty neighbourhoods - Phase I. An additional \$400,000. for Phase II is planned in the Capital Budget for implementation in 1998.

The Official Plan outlines policies dealing with community improvement. As a result of these policies the City is required to prepare Neighbourhood Plans and Community Improvement Plans for the defined Community Improvement Project Area. It is intended that community improvement is achieved by means of the conservation, rehabilitation or redevelopment of areas characterized by obsolete buildings and/or conflicting land uses and/or inadequate levels of engineering and community services.

The Neighbourhood Plans for these neighbourhoods, adopted by City Council in 1979, identify actions to be undertaken as part of the community improvement process. Proposals for the community improvement of these neighbourhoods were placed in the City's 10-year Capital Budget. As the capital budget funding is now available, staff are reviewing the priorities identified in the 1979 Neighbourhood Plan. Based on the feedback received from the communities in the past few months, it appears that the priorities identified in the Neighbourhood Plan are consistent to those prioritized by the existing neighbourhood residents.

In order to receive as much feedback as possible from the entire community, the public participation process has been broadened in order to reach as many groups as possible. Open Houses were held to advise the citizens of the allocations, provide information on the existing hard and soft services within their neighbourhoods and, to advise of the improvement projects that were identified in the 1979 Neighbourhood Plans prepared by the Planning Department in the late 1970's, early 1980's.

This Community Improvement Plan implements the City of Hamilton's Official Plan (Sub-Section D-10 - Community Involvement, attached as Schedule 'F'), the Property Standards By-law No. 74-74 and the Crown Point East/McAnulty Neighbourhood Plans.

Neighbourhood Profiles

The Crown Point East and McAnulty Neighbourhoods comprise approximately 253 acres in Hamilton's East End with a total population of approximately 6,320 persons (1991 Population Statistics). These adjacent neighbourhoods are bounded by Dofasco to the north, Main Street East to the south, Kenilworth Avenue to the east and Ottawa Street to the west.

**Crown Point East/McAnulty
Community Improvement Plan
continued.....**

Crown Point East and McAnulty Neighbourhoods contain a wide variety of land uses (1991 Land Use Characteristics) including residential (56%), commercial (17%), industrial (15%), open space (2%), institutional (6%) and other, such as transportation, communication, utilities and parking (5%).

The two neighbourhoods that make up the Community Improvement Project Area are divided whereby approximately 70% comprises of Crown Point East and 30% of McAnulty. It should be noted that all of McAnulty Neighbourhood's residential areas are within the Project Area.

Commercial uses are limited mainly to the major arterial roads such as Ottawa Street, Barton Street, Main Street, Cannon Street and Kenilworth Avenue.

Industrial uses are limited mainly to the northerly area of the Crown Point East/McAnulty Neighbourhood. This can be attributed partly to the Canadian National Railway which divides the two neighbourhoods, and the Dofasco plant which fronts the northern boundary for McAnulty.

There are three schools in the Crown Point East/McAnulty area. Lloyd George and Queen Mary Schools are under the jurisdiction of the Hamilton Board of Education Public School System. Holy Family School is the responsibility of the Hamilton-Wentworth Roman Catholic Separate School Board. Just outside of the Crown Point East boundaries, on the south side of Main Street East, resides the Delta High School. It is important to note that the population of the school aged children is high in proportion to the amount of existing parkland in this neighbourhood.

Land use in Crown Point East/McAnulty is regulated by zoning by-laws which are controlled by the City of Hamilton's Official Plan, Crown Point East and McAnulty approved Neighbourhood Plans and related policies. The Neighbourhood Plan for McAnulty was adopted by City Council in 1979, the Neighbourhood Plan for Crown Point East in 1980. They identify which land uses are considered appropriate for future development in different areas throughout the neighbourhoods in conformance with the City of Hamilton's Official Plan. Land acquisition for the McAnulty Priority-One-Park (known as St. Christopher's Park) which was identified in the 1979 Neighbourhood Plan, has been completed and is ready for redevelopment. The Crown Point East Priority-One-Park was proposed to extend to the rear of Queen Mary Public School south of Roxborough Avenue. Ten (10) houses behind the school (situated between Province and Graham Avenue North) were targeted for purchase by the City in order to provide a future park. To date, five of the ten properties have been purchased. The funding allocation

**Crown Point East/McAnulty
Community Improvement Plan
continued.....**

for Crown Point East (\$200,000.) would not allow completion of the property acquisition for this park. Other enhancements for open space and parks will be considered.

Areas for both active and passive recreation such as baseball, football, tennis, skating, picnicing, relaxing and sunbathing would greatly improve the quality of life in the Neighbourhood. As very little parkland is available in the Crown Point East Neighbourhood for use by its residents and workers, an emphasis will be placed on improvements to passive parks within this area. Due to the fact that McAnulty already has possession of a large park, emphasis be placed on a more active nature of redevelopment. These goals are consistent with the issues identified through the Open Houses and questionnaires.

COMMUNITY IMPROVEMENT PLAN

The Community Improvement Plan will be presented in the following format:

Goals - what the neighbourhood would like to ultimately obtain

Objectives - the steps to be taken to achieve these goals

Actions - what action needs to be taken to address the objectives

GOAL ONE - Develop High Quality Recreational Services

<u>Objective 1.1</u>	Improvements to existing parks and facilities
<u>Action 1.1.1</u>	Rehabilitate St. Christopher's Park and develop as a community park.
<u>Action 1.1.2</u>	Rehabilitate Pipeline Park including improved lighting.
<u>Action 1.1.3</u>	Rehabilitate open space on Park Row North to facilitate passive park area.
<u>Action 1.1.4</u>	Incorporate accessible playstructure, complete with features for young children, into existing park/open space or neighbourhood school yard for use by the community.
<u>Action 1.1.5</u>	Neighbourhood Associations to request input from Culture and Recreation Department and Y.W.C.A. on programming needs for neighbourhoods and suggestions for alternate locations within closer proximity.
<u>Action 1.1.6</u>	Encourage Neighbourhood Association involvement in programming for new Kiwanis Boys & Girls Club Community Centre targeted to commence in 2002.
<u>Action 1.1.7</u>	Neighbourhood Association to work with Dofasco and Public Schools to develop play structures within schools with a view to creating a financial partnership.

GOAL TWO - Create a Clean, Non-Pollutant Environment Within The Neighbourhoods

- Objective 2.1** Address the problem of intense air pollution in the neighbourhood.
- Action 2.1.1** Incorporate greenery (trees, climbing vines) into frontages of existing industrial properties.
- Action 2.1.2** Introduce trees into the City Boulevards and request permission from individual property owner to plant trees on their properties.
- Action 2.1.3** Work with Homeside Neighbourhood and the Ministry of Environment to combat the air pollution problem.

GOAL THREE - Improve Overall Health and Well-being of the Residents of the Community

- Objective 3.1** Encourage establishment of an easily accessible Medical Clinic for use by the neighbourhood.
- Action 3.1.1** Neighbourhood Association to keep in ongoing contact with the Physician Associations to ensure future physicians are made aware of the need of a facility in these neighbourhoods.
- Objective 3.2** Improve accessibility to existing or future social service agencies in the area through providing the residents with more information.
- Action 3.2.1** Encourage social service agencies to work with newly developed community services/centres.
- Objective 3.3** Improve general information and referral services in the area.
- Action 3.3.1** Neighbourhood Association request that local agencies make presentation of services that are provided.
- Action 3.3.2** Local agencies be requested to send information material to area community centres and neighbourhood associations.
- Action 3.3.2** Neighbourhood Association distribute newsletters to the community incorporating all pertinent information affecting the neighbourhood.

**Crown Point East/McAnulty
Community Improvement Plan
continued.....**

- Objective 3.4** Improve the environmental quality of the neighbourhood.
- Action 3.4.1** Neighbourhood Association identify litter problem areas and review same with the Department of Public Works and C.N. Railway.
- Action 3.4.2** Work with Keep Hamilton Clean Committee to review problems in the neighbourhoods.

GOAL FOUR - Increase Public Safety

- Objective 4.1** Reduce crime in the neighbourhood
- Action 4.1.1** Neighbourhood Associations to work with the local authorities in identifying concerns.
- Action 4.1.2** Police to be invited to make presentation to the Neighbourhood Association about various programmes (i.e. Crime Stoppers, Business Watch, etc.).
- Action 4.1.3** Create a Neighbourhood Watch Committee.
- Action 4.1.4** Police be invited to make presentation to area schools to advise children on safety measures, more than once a year, to reinforce negative affects of juvenile delinquency.
- Objective 4.2** Investigate the lighting conditions in the neighbourhood
- Action 4.2.1** Increase the lighting in Pipeline Park
- Action 4.2.2** Identify areas of concern and request lighting level readings from Public Works Department.
- Objective 4.3** Improve on-street parking.
- Action 4.3.1** Neighbourhood Association to identify problem areas and review same with the Traffic Department.

GOAL FIVE - Create and Improve Upon Ever-changing Educational Needs

- Objective 5.1** Neighbourhood Association to investigate possibility of Adult Education/Retraining Programmes at a location within their neighbourhood.

**Crown Point East/McAnulty
Community Improvement Plan
continued.....**

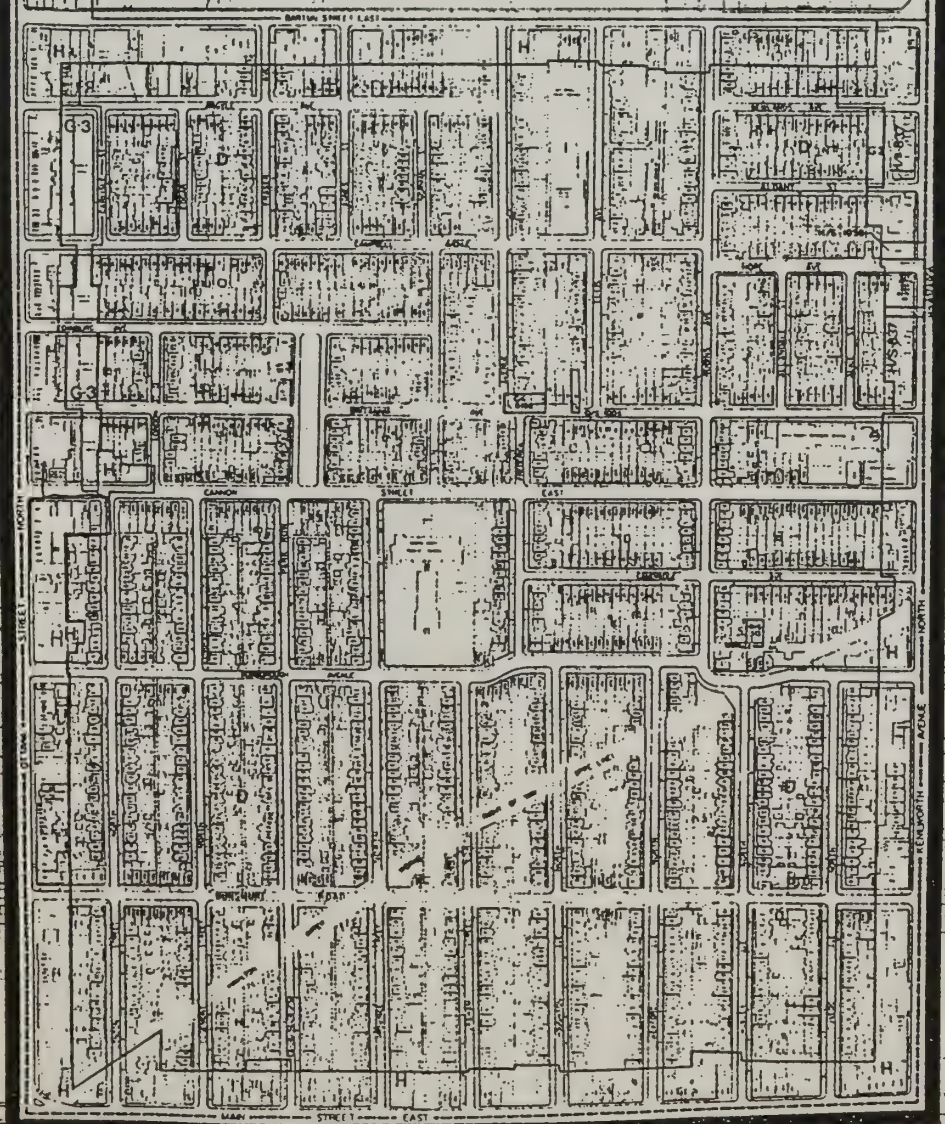
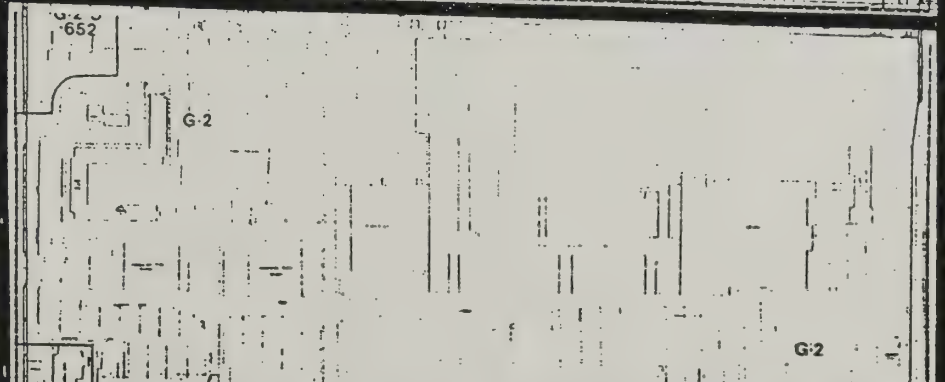
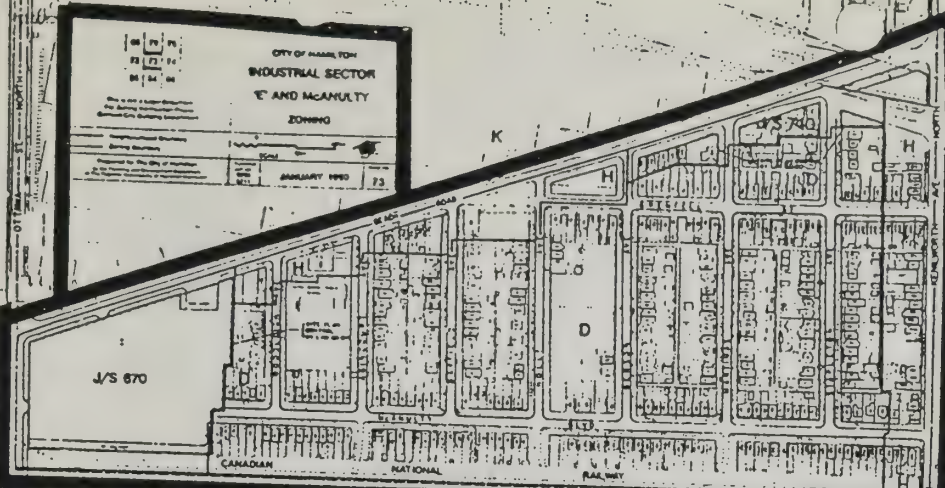
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| <u>Action 5.1.1</u> | Contact Public School Board and Mohawk College to determine feasibility of programmes within neighbourhood school. |
| <u>Action 5.1.2</u> | Request information from Mohawk College on programmes already offered in the vicinity of McAnulty neighbourhood. |
| <u>Action 5.1.3</u> | Utilize School and Neighbourhood Association to inform residents of existing programmes available at these alternate Mohawk/College locations and funding assistance (through O.S.A.P.). |

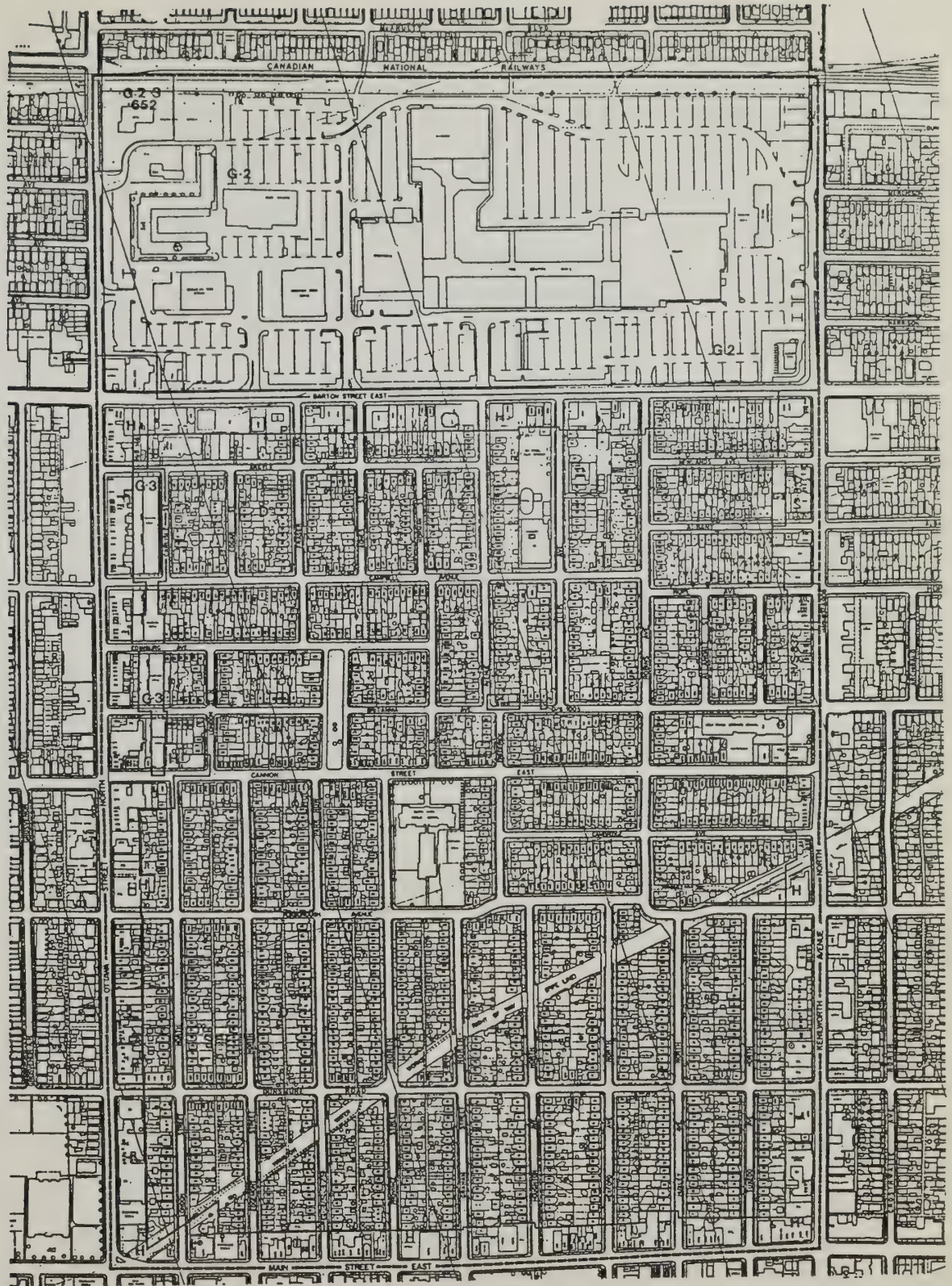
Conclusion

The north-east communities in the City of Hamilton experienced tremendous industrial growth in the 1940's, 1950's and 1960's. These neighbourhoods grew at that time to provide housing for the employees who worked at the steel mills. The neighbourhoods now provide "affordable" housing for Hamilton's citizens in accordance with provincial policy (Land Use Planning for Housing; Provincial Policy statement of Bill 163).

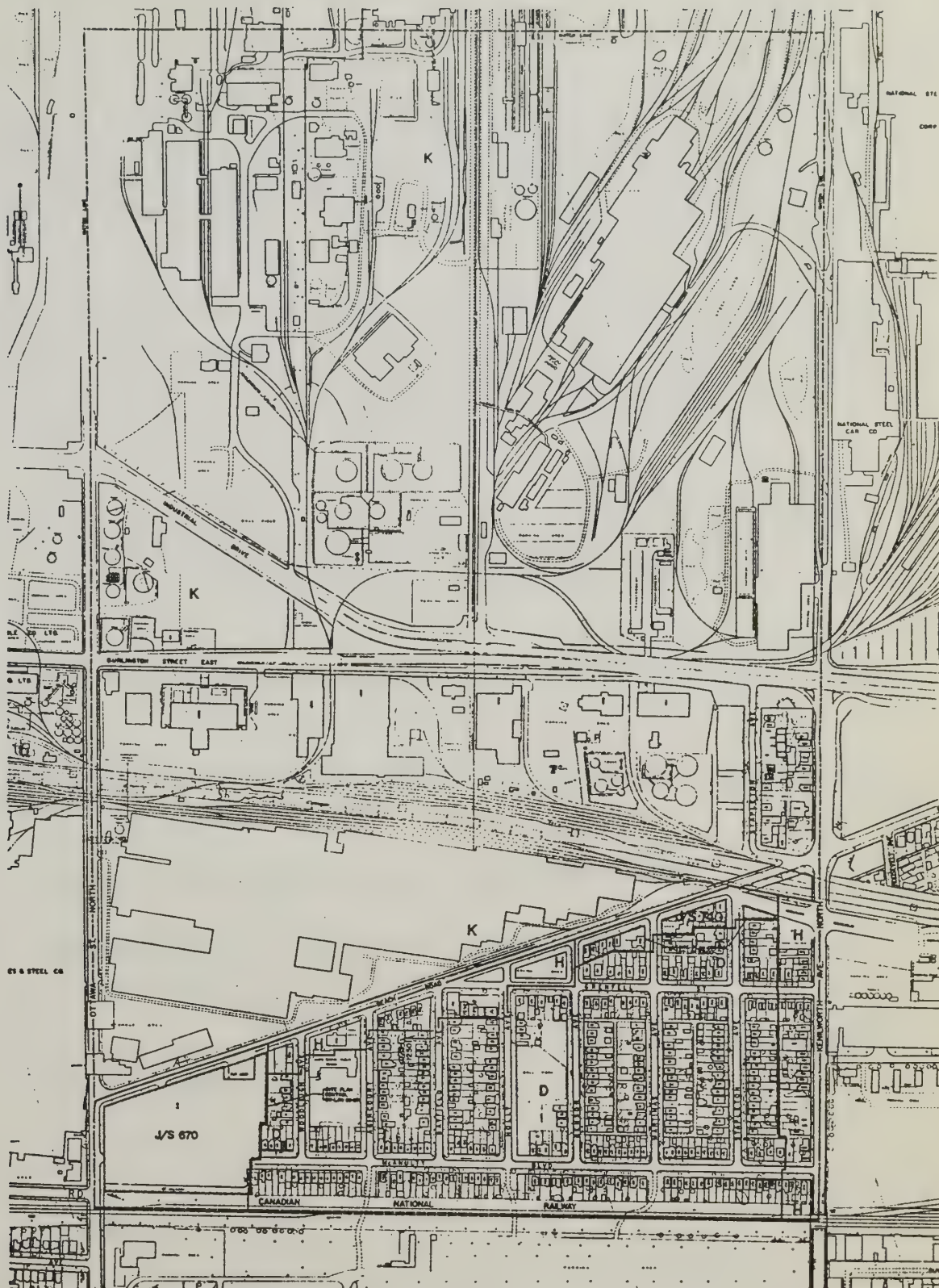
With the use of this Capital Budget allocation, we hope to improve the excellence of life in these areas by providing some much needed improvements and services.

CITY OF HAMILTON
INDUSTRIAL SECTOR
E AND MCANULTY
ZONING
JANUARY 1983





<table border="1"> <tr> <td>72</td> <td>73</td> <td>74</td> </tr> <tr> <td>35</td> <td>34</td> <td>66</td> </tr> <tr> <td>37</td> <td>36</td> <td>6</td> </tr> </table> This is not a Legal Document For Zoning Verification Please Contact City Building Department.	72	73	74	35	34	66	37	36	6	CITY OF HAMILTON CROWN POINT EAST ZONING
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Neighbourhood Boundary Zoning Boundary Prepared for The City of Hamilton By the Planning and Development Department of The Regional Municipality of Hamilton Wentworth	SCALE 50m 6510 34									



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Subsection D.10 - Community Improvement

It is the general intent of the Plan to promote the ongoing maintenance of the established areas of residences and work in the City through COMMUNITY IMPROVEMENT. Accordingly, it is intended that COMMUNITY IMPROVEMENT be achieved by means of the conservation, rehabilitation or redevelopment of areas characterized by obsolete buildings, and/or conflicting land uses and/or inadequate levels of Engineering and Community Services.

It is thus necessary to provide the framework to co-ordinate public and individual initiatives to effectively utilize the funding programs available from senior levels of government for COMMUNITY IMPROVEMENT. To this end, it is further intended that COMMUNITY IMPROVEMENT Project Areas, be identified and appropriate strategies for their revitalization be detailed through COMMUNITY IMPROVEMENT Plans.

- 10.1 It is the intent of Council that the COMMUNITY IMPROVEMENT AREAS as shown on Schedule "H" may be designated, in whole or part, by by-law, as COMMUNITY IMPROVEMENTS Project Areas, for which detailed COMMUNITY IMPROVEMENT Plans will be prepared. (O.P.A. No. 15)
- 10.2 Council will utilize the following criteria to identify and delineate COMMUNITY IMPROVEMENT Project Areas:
- i) Older, predominantly Residential areas, which are potentially stable and have some of the following:
 - a) a significant portion of the housing stock in need of rehabilitation;
 - b) inadequate Engineering Services such as: sewers and watermains; roads and streets; curbs and sidewalks; and street lighting and utilities;
 - c) inadequate Community Services such as public indoor/outdoor recreational facilities; public open space; and public social facilities;
 - d) encroachment of non-residential uses; and,
 - e) inadequate parking facilities.

- ii) Older, predominantly Commercial areas, which are potentially stable and have some of the following:
 - a) a significant portion of the building stock in need of rehabilitation;
 - b) inadequate Engineering Services such as: roads, sewers and watermains, street lighting;
 - c) poor overall visual amenity of the area;
 - d) existing or potential for a Business Improvement Area designation; and,
 - e) Inadequate parking facilities.
- iii) Older, predominantly Industrial areas, which are potentially stable and have some of the following:
 - a) inadequate Engineering Services;
 - b) inadequate road access and traffic circulation;
 - c) shortage of land to accommodate building expansion and/or parking and loading facilities;
 - d) encroachment of non-industrial uses; and,
 - e) building and/or property deterioration. (O.P.A. No. 15)

10.3 Council will determine the sequences in which designated COMMUNITY IMPROVEMENT Project Areas will have individual COMMUNITY IMPROVEMENT Plans prepared. In this manner, limited public funding assistance will be directed to those Areas with critical deficiencies. (O.P.A. No. 15)

10.4 The COMMUNITY IMPROVEMENT Plan will function to co-ordinate individual initiatives to improve properties with municipal actions to improve Engineering and Community Services. Accordingly, COMMUNITY IMPROVEMENT Plans will define which of the following measures amongst others will apply in the affected COMMUNITY IMPROVEMENT Project Areas:

- i) Use of appropriate funding programs;
- ii) Acquisition of land where necessary in keeping with Subsection D.5 of this Plan;
- iii) Enforcement of a property standards by-law in keeping with Subsection C.5 of this Plan;
- iv) Consideration of more flexible zoning including bonus zoning provisions, where it will support the COMMUNITY IMPROVEMENT objectives;
- v) Encouragement of infill and rehabilitation where feasible;
- vi) Promotion of historical preservation through the appropriate Provincial and Federal legislation in keeping with Subsection C.6 of this Plan; and,
- vii) Promotion of the viability of Commercial areas through such means as the establishment of Business Improvement Areas. (O.P.A. No. 15)

10.5 In the preparation of a COMMUNITY IMPROVEMENT Plan, Council will solicit the input of affected residents, property owners and other interested groups in keeping with the Notice and Public Participation Procedure, as set out in Subsection D.9 of this Plan. COMMUNITY IMPROVEMENT Plans and amendments thereto will be adopted by Council. (O.P.A. No. 15)

10.6 When Council is satisfied that the COMMUNITY IMPROVEMENT Plan has been carried out, Council may, by by-law, dissolve the COMMUNITY IMPROVEMENT Project Area.
(O.P.A. No. 15)

The Corporation of the City of Hamilton

BY-LAW NO. 95-165

To Amend

By-law No. 93-167

Respecting

BUILDING PERMIT FEES

WHEREAS By-law 93-167 was enacted on the 27th day of July 1993 concerning Building Permit Fees.

AND WHEREAS City Council, on July 11, 1995, in adopting Item 6 of the 16th Report of the Planning and Development Committee authorized the addition of a Permit Class for the installation of a replacement furnace for a single family dwelling;

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

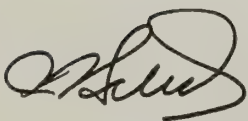
1. Schedule "A" of By-law No. 93-167 is amended by adding the following Class of Permit.

CLASS OF PERMIT

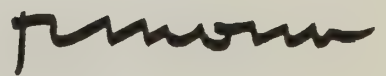
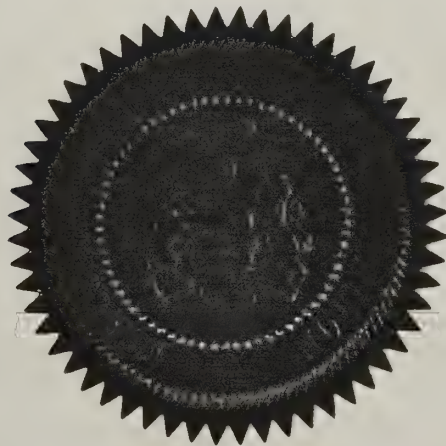
FEE

- | | |
|---|---------|
| 2.(a) Permit for the installation of
a replacement furnace for a
single family dwelling | \$75.00 |
|---|---------|

PASSED this 29th day of August , 1995.



CITY CLERK



MAYOR

The Corporation of the City of Hamilton

BY-LAW NO. 95— 166

To Remove
Land within the "Sandrina Gardens - Phase 2" Subdivision, Plan 62M-780
from Part Lot Control

WHEREAS subsection 5 of Section 50 of the Planning Act, (R.S.O. 1990, Chapter P.13) establishes part-lot control on land within registered plans of subdivision;

AND WHEREAS subsection 7 of Section 50 of the Planning Act, states, in part, as follows:

- (7) Despite subsection (5), the council of a local municipality may by by-law provide that subsection (5) does not apply to land that is within such registered plan or plans of subdivision or part of parts thereof as is or are designated in the by-law, and, where the by-law is approved by the Minister, subsection (5) ceases to apply to such land, . . .;

AND WHEREAS the Minister has delegated his authority to approve by-laws enacted under subsection 7 of Section 50 of the Planning Act to the Council of The Regional Municipality of Hamilton-Wentworth pursuant to Section 4 of the Planning Act by Ontario Regulation 476/83;

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Subsection 5 of Section 50 of the Planning Act, shall not apply to the following lands:

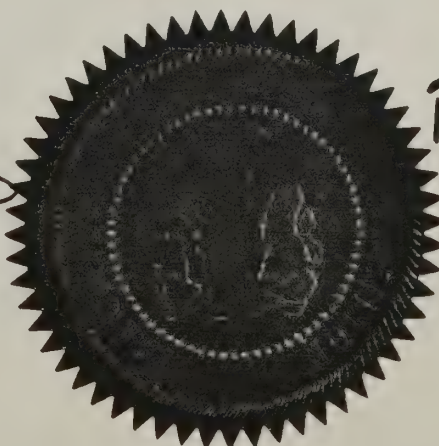
Lots 1 to 24 inclusive and Lots 60, 61, 62, 65, 66, 67, 68, 71 and 72 within Registered Plan Number 62M-780, in the City of Hamilton, Regional Municipality of Hamilton-Wentworth.

2. (a) This by-law shall come into force and effect on the date of its approval by Council of The Regional Municipality of Hamilton-Wentworth.
- (b) Where this by-law has been enacted and the said approval has been endorsed hereon, it shall be registered on title to the land described in paragraph one above.
- (c) This By-law shall expire on September 1, 1997.

PASSED this *29th* day of *August* A.D. 1995.



City Clerk




Mayor

BY-LAW NO. 95-167

To Regulate the Proceedings of the Municipal Council and Committees of The City of Hamilton.

GENERAL

1. The Rules and Regulations contained herein shall be observed in all proceedings of Council and its Committees.

PART I

MAYOR

2.
 - (a) The Council shall appoint an Alderman as Acting Mayor to act in place and stead of the Mayor when the Mayor is absent from the City of Hamilton or the Mayor is absent through illness or other cause.
 - (b) The Alderman appointed as Acting Mayor shall be appointed at the last regular monthly meeting of Council and shall hold office for the next succeeding month.
 - (c) Where the Alderman appointed as Acting Mayor is unable to act because he is absent from the City of Hamilton or is absent through illness or other cause, and unless the Council otherwise appoints, the Alderman present who last served as Acting Mayor shall act as Mayor for the month or part thereof in place and stead of the absent Alderman.
 - (d) An Alderman acting as Mayor under this section shall exercise all the rights and powers and authority of the head of Council.

PART II

COUNCIL MEETINGS

3.
 - (a) The Regular Meetings of City Council shall, unless otherwise ordered and except as provided in subsection 2, be held at the City Hall on the second and last Tuesday of every month at seven-thirty o'clock p.m., except for the months of June, July, August, September and December when one meeting only shall be held in each of the months.
 - (b) In the event a Regular Meeting falls on a public holiday, the meeting shall be at the same hour on the next following day not being a public holiday or on any other day as determined by the Council.
 - (c) A Special Meeting required for special business shall be called by the Mayor or at the request of any nine Aldermen, at such time and place as the Mayor or the Aldermen determine.
 - (d) Where a Special Meeting is called, the City Clerk shall summon the meeting by written notice delivered to each member of Council setting out the time, place of the Special Meeting and the purpose of the meeting, at least 24 hours before the meeting.
 - (e) No matter shall be considered or discussed at a Special Meeting unless the matter is disclosed in the notice calling the meeting.
 - (f) The Clerk or his/her designate shall be in attendance at all times in order to constitute a legal Council meeting.

SEATING

4. (a) Subject to subsections (b) and (c) the Members of Council shall take their seats to the left of the Mayor's chair commencing with the Aldermen representing Ward 1 to 8 in consecutive order.
- (b) For each Ward, the Alderman receiving the greater number of votes shall sit on the right of his or her fellow Alderman representing the same Ward.
- (c) Aldermen may exchange seats within a ward, by mutual consent.

QUORUM

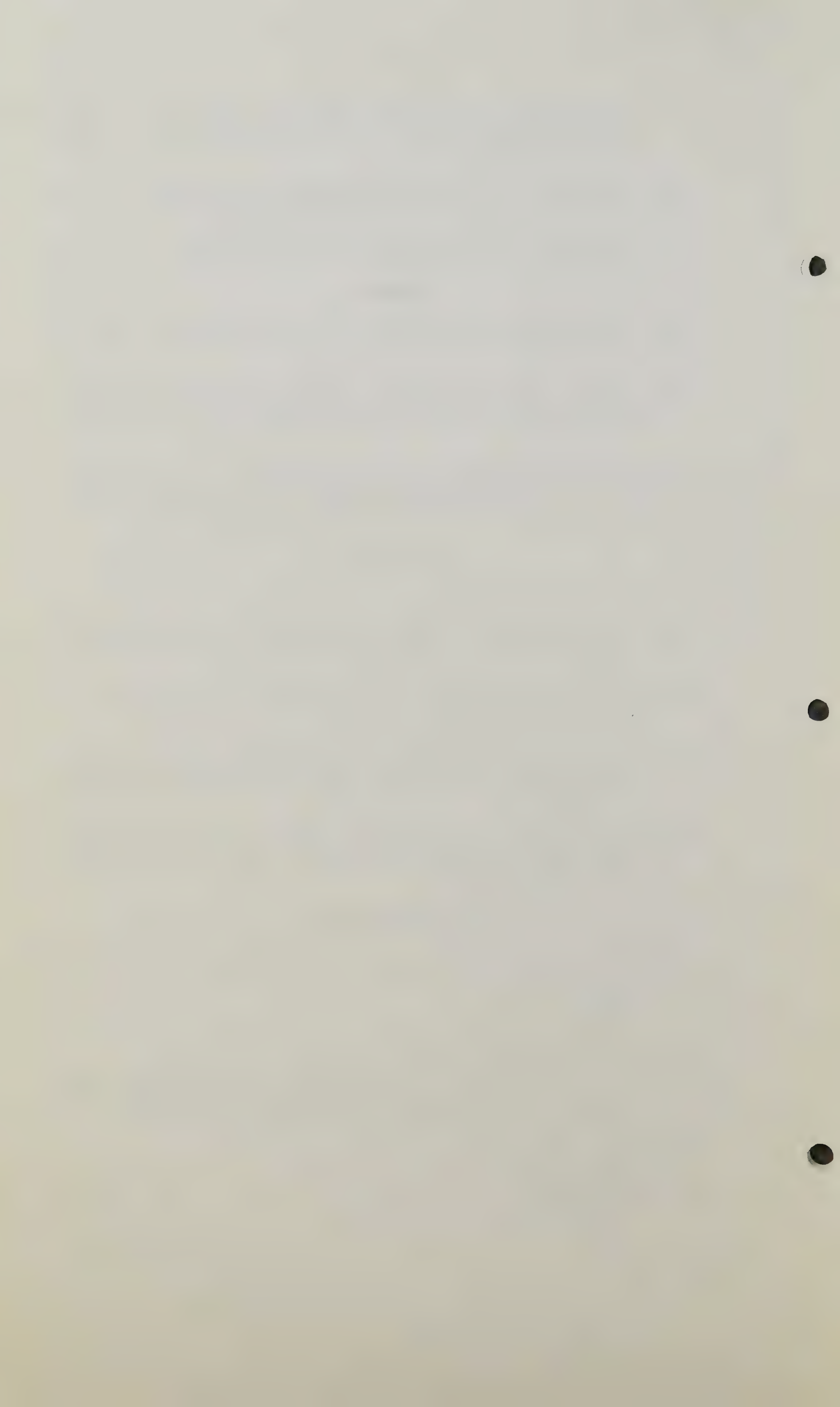
5. (a) A quorum shall consist of nine members of Council assembled for a meeting of City Council.
 - (b) Immediately after the hour fixed for a Council or Committee meeting and a quorum is present, the Mayor or Chairperson shall take the chair and call the meeting to order.
6. If, within thirty minutes of the time called for the meeting, there is no quorum, the Clerk shall record those members present and the meeting shall stand adjourned until the next Regular Meeting unless a Special Meeting is called before a Regular Meeting.

CHAIRPERSON

7. (a) The Mayor shall be Chairperson of the Council.
- (b) Where the Mayor is not in attendance at a meeting of Council, the Acting Mayor as appointed shall preside until the arrival of the Mayor.
- (c) The Council shall appoint on a quarterly basis, an Alderman to serve as Chairperson of the Committee of the Whole.
- (d) When Council moves to Committee of the Whole, the Chair shall be assumed by the Alderman appointed to serve as Chairperson of the Committee of the Whole for that quarter.
- (e) When the Alderman appointed to serve as Chairperson of the Committee of the Whole is absent, the Alderman who last served as Chairperson of the Committee of the Whole shall preside.

ORDER OF BUSINESS

8. The business of the Council shall be taken up in the following order:
 - (a) National Anthem & Prayer
 - (b) Minutes
 - (c) Petitions and Correspondence
 - (d) The referral of Petitions and Correspondence
 - (e) Reports of the Standing Committees in the order stated in Section 32(1), hereof followed by the Mayor's Report, Licensing Committee, Hamilton-Scourge and Nominating Committees and Committee of the Whole.
 - (f) Bills
 - (g) Notices of Motion
 - (h) Question Period
 - (i) Adjournment



PROCEDURE AT MEETINGS OF COUNCIL

9. No business, other than the business referred to in Section 8, shall be considered at a meeting of City Council unless City Council by a majority vote of the members present at the meeting deems it is in the best interest of the City to deal with any matter.
10.
 - (a) Every motion or resolution shall be in writing.
 - (b) No member of Council other than the mover of a motion shall make introductory remarks on the motion.
 - (c) Except as provided in subsection 2, no member of Council shall have the right to speak on a motion or resolution until after the motion or resolution has been duly moved and seconded.
11. After a motion or resolution has been duly moved and seconded, it shall be deemed to be in possession of the Council, but it may be withdrawn at any time with the approval of the majority of the Council.
12. Where a motion or resolution is under consideration, no motion or resolution shall be received except a motion or resolution having precedence in the following order:
 - (a) To adjourn (Not Debatable)
 - (b) To table (Debatable)
 - (c) To put the question (Debatable)
 - (d) To refer (Debatable)
 - (e) To amend (Debatable)
13. The previous question, until it is decided, shall preclude any further debate on the main question or any amendments on the floor. If this motion is resolved in the affirmative the main question shall be put forthwith or if any amendment was on the floor at the time the previous question was moved, the Chair shall call for a vote on the amendment, followed immediately, without further debate, by a vote on the main question.
14.
 - (a) A motion to adjourn the Council shall always be in order and need not be in writing.
 - (b) The motion to adjourn shall be decided upon without debate.
 - (c) No second motion to adjourn the meeting of City Council shall be made until after some intermediate proceeding shall have taken place.
15.
 - (a) Where a member proposes to speak on a matter the member shall,
 - (i) rise from the allocated seat; and
 - (ii) address the Mayor or Chairperson; and
 - (iii) confine any comments or observations to the question or matter under discussion; and,
 - (iv) avoid any reference to personality or personal remarks.
 - (b) Where two or more members rise to speak, the Mayor or Chairperson shall determine the order in which a member is entitled to speak.
16. The Mayor or the Chairperson shall expel any person for improper conduct at a meeting.

17. When a question is put, no member of Council shall walk out of or across the floor of the Council Chambers or any other place where a meeting of City Council is held, until the vote is decided.
18. Each member present at the meeting of Council shall vote when a vote is taken unless otherwise prohibited by law and failure to vote by a member who is not disqualified shall be deemed to be a negative vote.
19. Whenever a recorded vote is requested by any member of the Council, on any matter, the vote shall be conducted by the Chairperson calling for those members voting in the affirmative to stand and be recorded by the City Clerk and then those members voting in the negative to stand and be recorded.
20. During a debate no person shall speak more than five minutes on any motion or resolution unless granted a specific time extension.
21. No member of Council may interrupt any other member who has the floor.
22. Any member of the Council may as of right require the question, motion or resolution under discussion to be read for the member's information at any time in a debate, but not so as to interrupt a member speaking.
23. During meetings of Council, unless permission is given by the Mayor or Council, all persons excepting members of the Council and City Clerk's Staff shall be excluded from the floor of the Council Chamber.
24. Every proposed By-law must be introduced by a motion or by a report of a Committee, specifying the title of the By-law, and shall be decided without debate.
25. Any member of Council initiating the establishment of a Special Committee for any purpose shall automatically be a member of that Committee.
26. Any amounts to be expended, other than those for which funding has been appropriated by Council and expenditures in accordance with Council policies and procedures, shall be referred to the Finance and Administration Committee for recommendation to Council for funding prior to being acted upon. (The issue shall be referred to Council concurrently with the funding recommendation from the Finance and Administration Committee).
27. After any matter has been decided, any member who voted in the majority may, at the same or at a subsequent meeting, move for a reconsideration thereof, but no discussion of the matter shall be allowed unless the motion for reconsideration is approved.
28. Section 27 shall not apply to any matter re-submitted by a Standing Committee who submitted the question initially.
29. Where notice of motion has been given by a member, it shall be printed in the agenda of the next subsequent meeting of Council and when a member's notice of motion has been called from the Chair at three successive meetings and not proceeded with by the mover, it shall be deemed to have been withdrawn.
30. Any one or more of these rules may be at any time temporarily suspended, with the consent of a majority of the members present.
31. Any points of order or procedure not provided for in the preceding rules shall be decided in accordance with the Bourinot's Rules of Order, and if not in Bourinot's Rules of order, then in accordance with the established practice of City Council.

PART III

COMMITTEES

32. (a) There shall be appointed, at the first meeting of the newly elected Council, the following Committees, which shall be the Standing Committees of the Council:
- (i) Transport and Environment Committee
 - (ii) Parks and Recreation Committee
 - (iii) Planning and Development Committee
 - (iv) Finance and Administration Committee
- (b) Each Standing Committee shall consist of the Mayor and one Alderman from each of the eight wards.
- (c) The Council shall fix the day and hour for the regular meetings of its Standing Committees.
33. (a) The Nominating Committee shall consist of all members of Council and shall be chaired by the Mayor.
- (b) Notwithstanding Section 32(c), the Committee shall meet at the call of the Chair.
34. Meetings of Committees shall be called by the City Clerk on request of the Chairperson or, in the absence of the Chairperson, on request of the Vice-Chairperson or, in the absence of the Vice-Chairperson, upon request of the Mayor with 24 hours notice.

CONDUCT OF BUSINESS IN COMMITTEES

35. The business of the Standing and Special Committees shall be conducted as follows:
- (a) The Chairperson, or in the absence of the Chairperson, the Vice-Chairperson, shall preside and shall have a vote on all questions submitted, and in case of an equal division the question shall be decided in the negative.
 - (b) In the absence of the Chairperson and the Vice-Chairperson, one of the other members shall be elected to preside, and shall discharge the duties of the Chairperson during the meeting, or until the arrival of the Chairperson or Vice-Chairperson at such meeting. Where there is no chairperson or vice chairperson, an acting chairperson shall be appointed by the members present.
 - (c) A quorum shall consist of the number of members of the Committee required to make a simple majority of the total membership of the Committee.
 - (d) The minutes of every Committee shall be signed by the Chairperson and Secretary and entered in a book provided for that purpose.
 - (e) The Rules of Order of the Council while in Committee of the Whole shall, as far as practicable, be observed by the Standing and Special Committees.

GENERAL DUTIES OF COMMITTEES

36. The general duties of the Standing and Special Committees shall be as follows:
- (a) To report to the Council from time to time, as often as the interest of the City may require, all matters connected with the duties imposed on them respectively, and to recommend such action by the Council in relation thereto as may be deemed necessary or expedient, but no Committee shall deal with any matter outside municipal jurisdiction.

- (b) A Standing Committee shall only report positive recommendations to Council except when otherwise required by statute or when expressly desired by the Committee to send a negative recommendation to Council.
 - (c) To recommend to Council the implementation of all projects and programs under its mandate for which monies have been provided in the current or capital budget as approved by Council.
 - (d) To report to the Finance and Administration Committee with regard to any deviations to the current or capital budget.
37. (a) Committees may establish and appoint members to a Sub-Committee to deal with special or specific matters that come under the terms of reference of the Committee. The term of the Sub-Committee so appointed shall be at the pleasure of the particular Standing Committee and shall be responsible to that Standing Committee.
- (b) Any member of a Standing Committee proposing a Sub-Committee shall forthwith become a member of the Sub-Committee.
38. Every City Department on which a Standing Committee is required to report to Council shall report to the Committee and may make such recommendations to the Committee as are necessary or expedient for consideration of the Committee.
39. Every committee of Council named in Section 32(1) shall hear interested parties or afford them an opportunity to be heard in place and stead of Council, provided that a written submission is received by the Committee Secretary at least seventy-two hours prior to the scheduled time of the meeting of the Committee, stating the subject upon which it is desired to make representations and the group or organization, if any, upon whose behalf the representations will be made.

STANDING COMMITTEES OF COUNCIL

TRANSPORT AND ENVIRONMENT COMMITTEE

40. In addition to any other duties prescribed under this and any other by-law of the Corporation, the duties of the Transport and Environment Committee shall be:

To report and/or recommend to City Council on all matters pertaining to public streets, traffic control, Public Works, City Engineering, Harbour matters, pollution control, energy conservation, lighting, surface, drainage, weed control, maintenance of public spaces, City vehicles, and City owned or operated buildings under the purview of the committee and any legislation which may affect these matters.

PARKS AND RECREATION

41. In addition to any other duties prescribed under this and any other by-law of the Corporation, the duties of the Parks and Recreation Committee shall be:

To report and/or recommend to City Council on all matters pertaining to the provision of leisure services as they relate to parks, recreation, arts and culture, museums and historical resources including the provision of cemetery services, the promotion of the beautification of lawns and gardens of private properties, the construction and operation of City-owned or operated buildings under its jurisdiction, the maintenance of park lands and cemeteries and the joint community use of facilities for parks and recreation purposes by the City and the Boards of Education.

PLANNING AND DEVELOPMENT COMMITTEE

42. In addition to any other duties prescribed under this and any other by-law of the Corporation the duties of the Planning and Development Committee shall be:

To report and/or recommend to City Council on all matters relating to new developments in Lloyd D. Jackson Square, all matters pertaining to the use of land, the physical development of the City of Hamilton, and all matters under the Planning Act, as amended and any other Act that may affect land use planning and the local planning functions. The Planning and Development Committee has been delegated authority to hold public hearings regarding zoning in the place and stead of Council and also to make decisions regarding site plan control.

FINANCE AND ADMINISTRATION COMMITTEE

43. In addition to any other duties prescribed under this and any other by-law of the Corporation, the duties of the Finance and Administration Committee shall be:

- (a) Finance - To report and/or recommend to City Council on the proposed expenditures and revenues for the City of Hamilton, the Hamilton Public Library Board, The Hamilton Entertainment and Convention Facilities Inc. and the City of Hamilton Parking Authority including all aspects relating to the Capital Budget Programme and has power to report to Council on the financial requirements of the Boards of Education and The Regional Municipality of Hamilton-Wentworth.
- (b) Personnel - To report and/or recommend to City Council on all matters relating to City Personnel including the establishment and classification of positions, appointments, dismissals, labour negotiations and grievances, policies related to salaries, wage rates and employee benefits.
- (c) Legislation - To report and/or recommend to City Council on all matters for which it may be necessary for the Corporation to seek legislation, not directly related to other Committees, make recommendations pertaining to civic hospitality and awards, consider and recommend to City Council on matters relating to licensing (with the exception of the issuance or denial of a licence), the Hamilton Farmers Market, consider and report on all matters relating to the C.A.O., City Clerk's, Treasury, Property, Law, Fire and Human Resources Departments, and City Boards and Commissions.
- (d) General - To report and/or recommend to City Council on all matters not delegated to other standing committees.

NOMINATING COMMITTEE

44. (a) In addition to any other duties prescribed under this and any other by-law of the Corporation, the duties of the Nominating Committee shall be to recommend to Council:
- (i) the appointment of the Chairperson, Vice-Chairperson and the members of Council to the Standing Committees and any Special Committees of the Council.
 - (ii) the appointment of the Aldermen to Standing Committees. The Aldermen in each Ward shall select alternately from a list of Committees commencing with the Aldermen who received the most votes in their respective Ward.
 - (iii) the appointment of members of Council to local boards to which Council may appoint or is required to appoint members.

- (iv) no member of Council, except the Mayor, shall serve on or represent Council on more than a total of three Special Committees, Local Boards, Commissions or Corporations.
 - (v) the appointment of citizens to special committees of Council, authorities and local boards, to which Council may appoint or is required to appoint citizen members.
- (b) For the purpose of this section, "**local board**" has the same meaning as in The Municipal Affairs Act, as amended.

PART IV

ACCESS TO INFORMATION AND MEETINGS

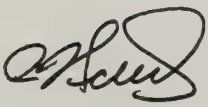
45. The release of information held by the municipality shall be governed by the provisions of The Municipal Freedom of Information and Protection of Privacy Act.
46. (a) Meetings of standing committees and committees shall be open to the public and no person shall be excluded therefrom except for improper conduct or if the subject matter being considered is:
- (i) the security of the property of the City of Hamilton or a local Board;
 - (ii) personal matters about an identifiable individual, including municipal or local board employees;
 - (iii) a proposed or pending acquisition of land for municipal or local board purposes;
 - (iv) labour relations or employee negotiations;
 - (v) litigation or potential litigation, including matters before administrative tribunals, affecting the City of Hamilton or local board;
 - (vi) the receiving of advice that is subject to solicitor-client privilege, including communications necessary for that purpose;
 - (vii) a matter in respect of which a council or committee has authorized a meeting to be closed under another Act.
 - (viii) the consideration of a request under the Municipal Freedom of Information and Protection of Privacy Act, if the Council or Committee or Board is designated as head of the institution for the purposes of the Act.
- (b) Prior to holding a meeting, or part of a meeting that is closed to the public, the Council or Committee shall state by resolution:
- (i) the fact of the holding of the closed meeting, and
 - (ii) the general nature of the matter to be considered at the closed meeting.
- (c) A meeting shall not be closed to the public during the taking of a vote.
- (d) Despite subsection (c) and Section 61 (2) of the Municipal Act, a meeting may be closed to the public during a vote if,

- (i) Section 43(1) of this By-law permits the meeting to be closed to the public; and
- (ii) the vote is on a procedural matter or for giving directions or instructions to officers, employees or agents of the City or a local Board or persons retained by, or under, contract with the City or a local Board."

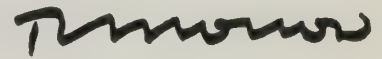
47. By-law No. 82-203 and all amendments thereto are hereby repealed.

48. The short title of this By-law is "**The Procedural By-law**".

Passed this *29th* day of *August*, 1995.



City Clerk



Mayor

(1995) 17 R.F.A.C. 18, June 27

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO.95-168

TO AUTHORIZE AN EXTENSION AGREEMENT

FOR PAYMENT OF REALTY TAX ARREARS

WHEREAS the Municipal Tax Sales Act, R.S.O. 1990, c.M.60, (hereinafter referred to as the "Act"), states that the Council of a municipality may, by by-law, authorize an Extension Agreement with the owner of land in arrears of realty taxes in excess of three (3) years after the registration of a Tax Arrears Certificate and before the expiry of the one year redemption period;

AND WHEREAS the Municipal Tax Sales Act (section 8) states that the said Extension Agreement may extend the period of time, upon the terms specified therein, within which the Cancellation Price is to be paid;

AND WHEREAS, pursuant to the Municipal Tax Sales Act, the Treasurer did register a Tax Arrears Certificate indicating arrears of realty taxes in excess of three (3) years on the lands described in Schedule "A" annexed hereto,

AND WHEREAS, the said land is recorded by The Corporation of the City of Hamilton under the specific Tax Roll Serial Nos. indicated in Schedule "A" annexed hereto.

AND WHEREAS, The Owners of the lands described in Schedule "A" have requested that the City exercise its discretion to pass a bylaw to authorize an Extension Agreement to extend the period of time in which the Cancellation Price may be paid.

AND WHEREAS the one year period within which this by-law may be enacted will therefore expire on the days described as the redemption date of Schedule "A" attached hereto.

NOW THEREFORE the Council of the Corporation of the City of Hamilton enacts as follows:

1. (a) The time open for acceptance and the permitted payments of the Cancellation Price beyond the expiry of the said one year redemption period as set out in Schedule "A" are hereby authorized to be extended pursuant to an Extension Agreement.

(b) The owner of the land described in Schedule "A" may, on or before the redemption date, enter into the Extension Agreement with The Corporation of the City of Hamilton, and the Mayor and City Clerk are hereby authorized to execute the Extension Agreement on behalf of the City.
2. As provided in the Municipal Tax Sales Act, notwithstanding any other provision of this Extension Agreement, it is understood and agreed that while the Extension Agreement remains a subsisting agreement in good standing:

3

(a) that the Extension Agreement does not reduce the amount of the Cancellation Price.

(b) that the Extension Agreement does not prohibit any person from paying the Cancellation Price at any time.

(c) that any person may pay the Cancellation Price at any time.

(d) that the Extension Agreement terminates upon payment of the Cancellation Price by any person.

(e) that the Extension Agreement shall cease to be considered a subsisting Extension Agreement for purposes of section 9(2) of the Act, when and under what conditions set out in the Extension Agreement.

3. As also provided in the Municipal Tax Sales Act,

(a) while such Extension Agreement is in good standing, the period of such time shall not be counted in calculating the time within which the Cancellation Price may be paid.

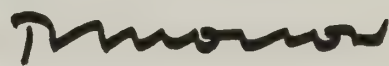
(b) upon default by owner in complying with the Extension Agreement or any term thereof, the Extension Agreement shall cease and, (unless there remains time within which the Cancellation Price may be paid and is paid), the land shall be offered for sale by the Treasurer.

PASSED this 29th day of August

1995, A.D.,



CITY CLERK



MAYOR

SCHEDULE "A"
EXTENSION AGREEMENTS

A)	PROPERTY ADDRESS	000 RYMAL ROAD EAST
	SERIAL NUMBER	07 08510 0490
	BRIEF LEGAL DESCRIPTION	CON 8 PART LOT 11 BTN HAM
	DATE OF REGISTRATION	OCTOBER 25, 1994
	INST # OF TAX ARREARS CERTIFICATE	LT 373236
	REDEMPTION DATE	OCTOBER 25, 1995
	TOTAL ARREARS	\$143,590.95
B)	PROPERTY ADDRESS	46 WEST 21ST STREET
	SERIAL NUMBER	08 10130 4730
	BRIEF LEGAL DESCRIPTION	PLAN 842 PART LOT 317 & 318
	DATE OF REGISTRATION	OCTOBER 25, 1994
	INST # OF TAX ARREARS CERTIFICATE	196910
	REDEMPTION DATE	OCTOBER 25, 1995
	TOTAL ARREARS	\$17,901.49
C)	PROPERTY ADDRESS	507 UPPER SHERMAN
	SERIAL NUMBER	06 06250 0490
	BRIEF LEGAL DESCRIPTION	PLAN 561 PART LOT 16 LOT 17
	DATE OF REGISTRATION	OCTOBER 25, 1994
	INST # OF TAX ARREARS CERTIFICATE	196911
	REDEMPTION DATE	OCTOBER 25, 1995
	TOTAL ARREARS	\$17,909.34
D)	PROPERTY ADDRESS	437 RENNIE
	SERIAL NUMBER	05 04010 2280
	BRIEF LEGAL DESCRIPTION	REG COMP PLAN 1393 LOT 38
	DATE OF REGISTRATION	OCTOBER 25, 1994
	INST # OF TAX ARREARS CERTIFICATE	196912
	REDEMPTION DATE	OCTOBER 25, 1995
	TOTAL ARREARS	\$52,113.43
E)	PROPERTY ADDRESS	467 CHARLTON EAST
	SERIAL NUMBER	03 02010 4110
	BRIEF LEGAL DESCRIPTION	CON 3 PART LOT 3 BTN HAM
	DATE OF REGISTRATION	OCTOBER 6, 1994
	INST # OF TAX ARREARS CERTIFICATE	195695
	REDEMPTION DATE	OCTOBER 6, 1995
	TOTAL ARREARS	\$170,798.65
F)	PROPERTY ADDRESS	73 EAST 35TH
	SERIAL NUMBER	06 06230 1330
	BRIEF LEGAL DESCRIPTION	PLAN 507 LOT 233
	DATE OF REGISTRATION	NOVEMBER 25, 1994
	INST # OF TAX ARREARS CERTIFICATE	199459
	REDEMPTION DATE	NOVEMBER 25, 1995
	TOTAL ARREARS	\$8,113.76

The Corporation of the City of Hamilton

BY-LAW NO. 95-169

Respecting:

APPOINTMENT OF AN EXTERNAL AUDITOR

WHEREAS Section 86(1) of the Municipal Act, R.S.O. 1990, Chapter M.45, authorizes City Council to appoint one or more auditors who are licensed under the Public Accountancy Act for a term of five years or less;

AND WHEREAS the Council of The Corporation of the City of Hamilton in adopting Item 6 of the 18th Report of the Finance Committee on October 8, 1991 appointed the firm of MacGillivray Partners as the City of Hamilton's external auditor;

AND WHEREAS the Council of The Corporation of the City of Hamilton on , in adopting Item of the Report of the Finance and Administration Committee appointed the firm of MacGillivray Partners as the City of Hamilton's external auditor for the year ending December 31, 1995;

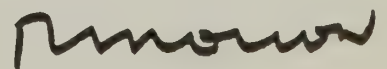
NOW THEREFORE the Council of the Corporation of the City of Hamilton enacts as follows:

1. The firm of MacGillivray Partners is appointed as The Corporation of the City of Hamilton's external auditor until December 31, 1995.
2. The firm of MacGillivray Partners shall also complete the 1995 Financial Report for The Corporation of the City of Hamilton.
3. The duties of the auditor shall include auditing the accounts and transactions of The Corporation of the City of Hamilton, every local board of The Corporation of the City of Hamilton, as defined by the Municipal Affairs Act, the Hamilton Entertainment and Convention Facilities Incorporated, the Hamilton Hydro Electric System, and all of the Boards of Management for the Business Improvement Areas within the City of Hamilton.
4. The fee payable to the auditor shall be \$104,070 excluding G.S.T. for 1995. The fee shall be reduced if the hours actually spent are less than anticipated by the City and the auditor. All disbursements are included as part of the regular fee.

PASSED this 29th day of August , 1995.



City Clerk



Mayor

The Corporation of the City of Hamilton

BY-LAW NO. 95-170

To Amend:

Licensing By-law No. 93-069

Respecting:

REFRESHMENT VEHICLES

WHEREAS refreshment vehicles are licensed, regulated and governed by Schedule 16 to Licensing By-law No. 93-069 as amended;

AND WHEREAS the Council of The Corporation of the City of Hamilton, in adopting Item 20 of the 7th Report of the Finance and Administration Committee, at its meeting held on the 27th day of June, 1995, directed that Schedule 16 of By-law No. 93-069 be further amended to provide for types of vehicles, definitions, changes in who must comply and the regulations to be complied with;

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Schedule 16 to Licensing By-law No. 93-069, is repealed and replaced with Schedule "A" , which is attached to and forms a part of this by-law.
2. In all other respects By-law No. 93-069 as amended, is hereby confirmed without change.

PASSED this *29th* day of *August* A.D. 1995.



City Clerk



Mayor

SCHEDULE 16

REFRESHMENT VEHICLES

1. (a) In this Schedule, "refreshment vehicle" means a vehicle from which refreshments are sold for consumption by the public.

(b) For the purposes of description and regulation, the types of vehicles are named as follows:

(i) "refreshment cart", means a wheeled, non-motorized refreshment vehicle, other than a refreshment cycle;

(ii) "refreshment cycle", means a non-motorized bicycle or tricycle;

(iii) "motorized refreshment vehicle"; and

(iv) "ice cream vehicle", which means one of the above types of vehicles from which the food sold is or includes ice cream, frozen desserts or other frozen confections.

Licence and Applications

2. No person, without being licensed under this by-law to do so, shall in the City of Hamilton engage in or carry on the business of selling, from a vehicle, refreshments for consumption by the public.

3. A person applying for a refreshment vehicle license shall supply with the application:

(a) A list of the types of refreshments to be sold, specifying whether the items include ice cream, frozen desserts or other frozen confections;

(b) Particulars of the type of vehicle, including the serial number, and in the case of a motorized refreshment vehicle, the particulars required by subsection 3(6) of this by-law and a valid and current Safety Standards Certificate as issued by the Ministry of Transportation for the vehicle;

(c) Name and address of business under which the refreshment vehicle or vehicles will be operated;

(d) And shall submit the vehicle to be licensed for inspections and reports by a Licence Inspector and a Health Inspector, the results of which may be used in considering the application.

4. No person shall engage in or carry on the business of selling, from a vehicle, refreshments for consumption by the public, unless a separate licence has been obtained for each vehicle so used.

5. (1) To be licensed, and to continue to be licensed for use, a refreshment vehicle shall be equipped and maintained as follows:

(a) with a clean compartment for the storage of food, and in the case of an ice cream vehicle, the compartment shall be refrigerated; and

(b) with a suitable refuse container.

(2) No person shall carry on or engage in the business of selling refreshments for public consumption from a refreshment vehicle, unless the refreshment vehicle is equipped and in the condition required in (1).

(3) To be licensed, and to continue to be licensed for use, an ice cream vehicle shall additionally be equipped and maintained as follows:

(a) with the warning "WATCH FOR CHILDREN", in readily legible black letters at least six inches high on a yellow background, conspicuously displayed on the rear of the vehicle;

(b) with a minimum of two amber lights on top, so placed as to be readily visible by a person five feet in height standing four feet in front of or behind the vehicle, and equipped with a device to keep the lights flashing while the vehicle is stopped for the sale of refreshments; and

(c) that the vehicle's rear bumper shall have an angled cover on top designed and placed so as to prevent a child from standing or sitting on top.

(4) No person shall carry on or engage in the business of selling refreshments for public consumption from an ice cream vehicle, unless the vehicle is additionally equipped and in the condition required in (3).

Regulations and Prohibitions

6. (1) In this section and section 8, "eating establishment" means a building or premises where food is prepared and offered for sale to the public, to be consumed either therein or elsewhere.

(2) A person, being the owner or operator of a licensed eating establishment, and being licensed under this by-law for a refreshment vehicle, may operate the refreshment vehicle on the premises of the eating establishment without having to comply with paragraph 8(1)(c)(ii) by being a certain distance from an eating

establishment, and without requiring the written permission of other eating establishments as provided in this section.

(3) Subject to (2), a person carrying on or engaging in the business of selling refreshments for public consumption from a refreshment vehicle, shall obtain:

(a) in the case of a refreshment vehicle being operated on private property, the prior written permission of the property owner,

(b) in the case of a refreshment vehicle being operated in public park, the prior written approval of the City, or

(c) in the case of a refreshment vehicle being operated within 100 yards of an eating establishment, the prior written approval of the owner of the eating establishment.

(4) A person carrying on or engaging in the business of selling refreshments for public consumption from a refreshment vehicle, shall provide the written approval or permission required under (3) to a licence inspector, by-law enforcement officer or police officer upon request.

(5) A person who has obtained the approval or permission required under (3), may operate from respectively, the private property or park, or within 100 yards of the eating establishment, notwithstanding paragraph 8(1)(c)(ii) of this schedule.

7. Every person engaging in or carrying on a business for which a licence is required under this schedule, shall be responsible:

(a) that the Chief Licence Inspector and the Chief Constable are notified in writing within six days of any change of address of the licensee or business;

(b) that no refreshment vehicle is used excepting those which are licensed under this by-law;

(c) that no such vehicle is used when not in safe operating condition;

(d) that no such vehicle is used for business without having affixed to the right hand side thereof, in a position in which it may most readily be seen, the City's current licence plate, and having no other licence number showing except the current provincial licence number or numbers; and

(e) that no motorized refreshment vehicle is driven by any person not currently holding a valid provincial driver's licence.

8. (1) A person operating a refreshment vehicle or engaging in the selling of refreshments from a refreshment vehicle shall comply with the following:

(a) Check each day, prior to use of the refreshment vehicle, that the vehicle is safe for operation, and shall not operate the vehicle unless it is, and is maintained, in safe operating condition;

(b) That there is no crying of wares, sounding of any chimes or use other audible means of recognition while the vehicle is in motion, or for more than five seconds at intervals of not less than five minutes, or in any residential area after eight o'clock in the evening or before eight in the morning;

(c) The vehicle shall not stop for the sale of any products:

(i) within 5 feet of an intersection;

(ii) subject to section 6, within 100 metres of any eating establishment, school ground, recreation ground, playground or public park;

(iii) for more than ten minutes at any one location on a residential street; or

(iv) without being properly parked;

(d) There shall be no service of any customer who is standing in the roadway;

(e) That all children and customers are safely away from the vehicle before putting it in motion;

(f) There shall not be any unnecessary washing or repairing of a vehicle in a street, alley or other public place; and

(g) At all times while the vehicle is stopped for the sale of food, the lights required by section 5 shall be flashing.

(2) A licence holder under this by-law shall not cause or permit the operation of the licensed vehicle or vehicles, contrary to (1).

9. (1) Subject to subsection (2), no person shall sell refreshments or confections as provided in paragraph 3 of section 234 of the Municipal Act, R.S.O. 1990, c. M-45, from a basket, wagon, cart or other vehicle upon paved portion of the highway maintained for the passage of motor vehicles, which does not include the side walk or boulevard, if the highway is a designated snow route.

(2) This section does not apply to a farmer, market gardener or other person selling or delivering goods at any place of business or residence upon such highway or part thereof.

10. The licence fee is provided for in section 16 of Schedule 45 of this by-law.

11. In addition to non-compliance with this by-law or other laws, the failure to comply with the Highway Traffic Act, R.S.O. 1990, c. H-8, or regulations under the Act, by a person while operating a refreshment vehicle, shall be grounds for the Licence Committee or City Council to consider suspension, revocation or the adding of conditions to the licence.

The Corporation of the City of Hamilton

BY-LAW NO. 95-171

To Amend:

Licensing By-law No. 93-069

Respecting:

EATING ESTABLISHMENTS

WHEREAS eating establishments are licensed, regulated and governed by Schedule 8 to Licensing By-law No. 93-069 as amended;

AND WHEREAS the Council of The Corporation of the City of Hamilton, in adopting Item 21 of the 7th Report of the Finance and Administration Committee, at its meeting held on the 27th day of June, 1995, directed that Schedule 8 of By-law No. 93-069 be further amended to provide classification for take out restaurants and removing the requirement for public hall licensing where dancing or entertainment is provided incidental to the eating establishment;

AND WHEREAS Council intends the licence fee for take out licences be \$20.00;

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

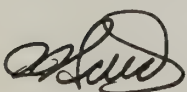
1. Schedule 8 to Licensing By-law No. 93-069, is repealed and replaced with Schedule "A" , which is attached to and forms a part of this by-law.

2. Section 8, of Schedule 45 to By-law 93-069 is amended by adding the following, after subsection 8(d) as subsection 8(e) :

"(e) For a take out restaurant, \$20.00."

3. In all other respects By-law No. 93-069 as amended, is hereby confirmed without change.

PASSED this 29th day of August A.D. 1995.



City Clerk



Mayor

The Corporation of the City of Hamilton

BY-LAW NO. 95-172

To Amend:

Schedule 4 of Licensing By-law No. 93-069

Respecting:

INTERIOR ADVERTISING IN TAXI-CABS

WHEREAS taxi-cabs are licensed, regulated and governed by Schedule 4 to Licensing By-law No. 93-069 as amended;

AND WHEREAS the Council of The Corporation of the City of Hamilton, in adopting Item 19 of the 7th Report of the Finance and Administration Committee, at its meeting held on the 27th day of June, 1995, directed that Schedule 4 of By-law No. 93-069 be further amended to allow rear window advertising on a six month trial basis;

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

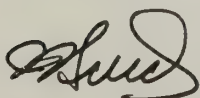
1. Paragraph 19 of section 12 of Schedule 4 to Licensing By-law No. 93-069, as amended in By-law 93-043, is further amended by adding the following as sub-paragraph (1b), immediately after sub-paragraph (1a) :

"(1b) In addition to the advertising permitted in sub-paragraphs (1) and (1a), advertising is permitted on the rear window of the taxi-cab, provided it is transparent from the interior of the taxi-cab so the driver is able to observe traffic and objects through the rear window of the vehicle; and "

2. Section 1 of this by-law comes into force on June 30, 1995, and is deemed repealed at midnight on December 31, 1995.

3. In all other respects By-law No. 93-069 as amended, is hereby confirmed without change.

PASSED the 29th day of August A.D. 1995.



City Clerk



Mayor

Schedule "A" to By-law 95-~~71~~ respecting Eating Establishments

SCHEDULE 8

EATING ESTABLISHMENTS

Interpretation

1. In this Schedule,

(a) "eating establishment" means an eating establishment for which a licence may be required by by-law pursuant to the provisions of the paragraph 5 of section 234 of the Municipal Act, R.S.O. 1990 c. M-45, and includes,

(i) "restaurant", which means an eating establishment where food is prepared on the premises and which has seating accommodation for more than fifteen persons;

(ii) "lunch counter", which means an eating establishment which has seating accommodation for not more than fifteen persons;

(iii) "refreshment stand", which means an eating establishment where only food already prepared for immediate consumption by the public without cooking, is served;

(iv) "drive-in restaurant", which means any eating establishment where carry-out service to patrons in motor vehicles is provided; and

(v) "restaurant, take out", means an eating establishment where food is prepared and offered for sale to be consumed elsewhere, and which does not provide seating accommodation.

Licence Required

2. No person shall, in the City of Hamilton, carry on any business of an eating establishment, without a licence under this by-law, entitling the person so to do.

Provided that the keeper of a hotel, within the meaning of section 216 of the Municipal Act, R.S.O. 1990 c. M-45, shall not be required to hold an eating establishment licence to provide non-intoxicating drinks and beverages, or conduct an eating establishment, in that behalf.

Duties Of Operator

3. Every person carrying on the business of an eating establishment shall be responsible,

(a) Condition of the Premises: That the premises are kept clean and orderly and maintained in all respects reasonably suitable for the purpose for which they are used, and kept suitably lighted and ventilated.

(b) (Repealed)

(c) (Repealed)

4. The licence fees are provided in section 8 of Schedule 45 of this by-law.

The Corporation of the City of Hamilton

BY-LAW NO. 95- 173

To replace By-law No. 93-069 for licensing, regulating and governing of stores in which adult videos are provided.

WHEREAS the Corporation of the City of Hamilton has the power to pass by-laws for licensing, regulating, governing, classifying and inspecting Adult Entertainment Parlours, to define the areas in which Adult Entertainment Parlours of any class may operate, and to limit the number of licences available;

AND WHEREAS By-law 93-069 provided for licensing of a class of adult video store and regulating of other stores providing adult videos;

AND WHEREAS Council directed the amendment of By-law 93-069 to licence all stores selling adult videos and other improvements to the regulations to prevent access by minors to adult materials in such stores, to delete two locations from areas where a class of adult video store is permitted, and to provide for a hearing to deny a licence;

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

DEFINITIONS

1. In this by-law:

- (1) "adult video", subject to (2) means a video the content of which appeals to or is designed to appeal to erotic or sexual appetites or inclinations through the portrayal or depiction of:
 - (a) one or more of the specified body areas of any person, or
 - (b) one or more of the specified sexual activities;
- (2) In the absence of evidence to the contrary, a video classified by the Ontario Film Board as "restricted", with the added information piece "adult sex film" shall be deemed to be an adult video, while a video without such classification and information piece shall be deemed not to be an adult video;
- (3) "adult videotape area" means an identifiable part of any premises, which part is used for the provision of adult videos, or the display of adult videos or containers for videos depicting the specified sexual activities or specified body areas;
- (4) "Class A adult video store" means any premises:
 - (a) used for the carrying on of the business of the provision of adult videos;
 - (b) in which adult videos are provided in the pursuance of a business and to which premises entry by persons under the age of 18 years is prohibited, or in respect of which premises it is advertised or notice is given that such entry is prohibited; or
 - (c) in which adult videos are provided in the pursuance of a business and in respect of which it is advertised, or notice is given either by signs or other advertising devices on or in the premises, or

otherwise, that the premises are an "adult video store", an "adult videotape store", an "adult video rental store", or are otherwise described by words of like meaning;

- (d) And for certainty includes premises in which adult videos are provided in the pursuance of a business, where the number of adult videos available from the premises exceeds five hundred, or where the number of adult videos available from the premises is more than twenty percent of the videos available from the premises which are not adult videos, and does not include a Class B adult video store.
- (4a) "Class B adult video store" means any premises where the number of adult videos available from the premises does not exceed five hundred and where the number of adult videos available from the premises is not more than twenty percent of the videos available from the premises which are not adult videos.
- (5) "Corporation" means the Corporation of the City of Hamilton;
- (6) "Council" means the council of the Corporation;
- (7) "Licence Manager" means the manager of the Licensing Division or, in his or her absence, any person authorized to fulfil the responsibilities of the licence manager;
- (8) "Licensing Committee" means The Licensing Committee of the City of Hamilton established by Council to conduct hearings for licensing matters;
- (9) "Licensing Division" means the licensing division of the Clerk's Department of the Corporation, responsible for administration of this by-law;
- (10) "operator" includes a proprietor, or any other person who alone or with others, manages, supervises, runs or controls a video store;
- (11) "owner" means a person who alone or with others has a right to possess or occupy a video store or actually does possess or occupy a video store, and includes a lessee of premises used as a video store;
- (12) "sell" includes to rent, and "for sale" includes for rent;
- (13) "specified body areas" means any one or more of the following:
 - (a) in the case of a female person, her areolae; and
 - (b) in the case of all persons, the genitals and the anus;
- (14) "specified sexual activities" means any one or more of the following: actual or simulated sexual intercourse, masturbation, ejaculation, sodomy, bestiality, oral sexual intercourse, direct physical stimulation of unclothed genital organs, or flagellation or torture in the content of a sexual relationship or activity;
- (15) "to provide", when used in relation to any adult video, means to sell, by retail or otherwise, or to display or offer the sale, and "providing", "provided" and "provision" have corresponding meanings;
- (16) "video" includes cinematographic or motion picture film, videotape, video disc and any other medium from which may be produced visual images that may be viewed as moving pictures;

- (17) "video store" means any premises or part thereof in which videos are provided in the pursuance of a business, and includes an adult video store.

LICENCE REQUIREMENT

2. (1) Subject to section 3, every person being an owner or operator of a store, from which adult videos are provided, shall obtain and maintain in good standing a licence from the City under this by-law, authorizing the sale from the store of adult videos.
- (2) No person shall carry on or engage in the business of providing adult videos from any store, unless a license has first been obtained for that store under subsection (1), and the licence fee paid in full.
- (3) Where a person being the owner or operator of an adult video store, is licensed under this by-law, no employee of the store need obtain a separate licence.
3. (1) An owner or operator of a Class A adult video store shall obtain a Class A adult video store licence.
- (2) An owner or operator of a Class B adult video store shall obtain a Class B adult video store licence.

DEFINED AREAS AND LIMITATION ON NUMBERS OF CLASS A LICENCES

4. (1) Schedule 1 to this By-law, which Schedule is annexed to and forms a part of this by-law, describes certain areas of the City, which are districts provided for and described in City of Hamilton Zoning By-law 6593 as amended, which areas shall be deemed to define an area for the purposes of this section and that Schedule.
- (2) In respect of areas defined in Schedule 1 to this By-law, no Class A adult video store licence or licences may be granted except as permitted in that Schedule, or in a greater number than those specified in such Schedule.
- (3) No person shall operate a Class A adult video store in the City except in an area provided in Schedule 1 and as permitted under this By-law.

ADMINISTRATION

5. The Licensing Division shall:
- (a) receive and process all applications for licences and renewal of licences required under this By-law;
- (b) administer the issuance of licences in accordance with the provisions of this By-law;
- (c) maintain and keep records of all applications received and licences issued;
- (d) generally perform administrative functions incidental and necessary to the due administration and enforcement of this By-law.

APPLICATIONS FOR LICENCES

6. (1) Every person applying for a licence under this By-law shall file with the Licensing Division a duly completed application form provided by the Licensing Division, in which the applicant shall provide all information sought in such application form.

(2) The applicant shall, at the time of the filing of the application form required under subsection (1), deliver to the Licensing Division the following:

- (a) full payment of the licence fee, in the case of a Class A adult video store being \$2,000.00, and in the case of a Class B adult video store being \$150.00, which sums respectively are fixed for each licence and any renewal or transfer of such licences;
- (b) if the applicant is a corporation, a copy of the incorporating document, a copy of the last information return filed for the corporation and any changes or corrections to the information contained;
- (c) if the applicant is a registered partnership, a copy of the registered declaration of partnership and any changes or corrections to the information contained; and
- (d) a copy of the registration of the trade name to be used for the store.

7. The applicant for a licence or renewal of a licence, subject to this by-law, shall provide at a minimum the following information as part of the application for a licence:

- (a) the name and residence address of the applicant, or in the case of a corporation, those of the officers and directors, and in the case of a partnership, those of all partners;
- (b) the address of the applicant and of the intended licensee, to which the Corporation or its Licensing Division may send or deliver any notice or other document required or authorized by law;
- (c) the municipal address of the one building, premises or place from which business will be carried on and in respect of which a licence is sought;
- (d) the name and address of the owner of any building, premises or place in which any such business is to be carried on;
- (e) any trade or business description to be used;
- (f) the telephone number of the business;
- (g) a record of all offenses for which the applicant has been convicted, other than offenses relating to the operation of motor vehicles, under any by-law, provincial statute or federal statute in respect of the applicant, if the applicant is an individual, any of the partners, if the applicant is a partnership, or any of the directors and officers of a corporation, if the applicant is a corporation.

8. (1) If the applicant is not an individual, the application form shall be completed and updated from time to time as this By-law requires, by an individual duly authorized by the applicant to execute such form on behalf of the applicant and binding upon it, and the individual completing such form shall sign the form, certifying the truth and completeness of the information provided therein.

(2) The provisions of this by-law relating to an application for a licence shall apply, with necessary modifications, to an application for the renewal of a licence or to amend a licence, except that where the applicant, in writing and prior to expiry of the licence being renewed, notifies the Licensing Division that the information on file with the Licensing Division has not

changed, the applicant shall not be required to complete a new application form or amendment thereto in respect of an application for renewal.

9. (1) Upon the receipt of an application form by the Licensing Division, the Licence Manager shall carry out such investigation or verification relating to the application as he or she may deem necessary for the purposes of the administration of this By-law and shall submit the material to the Licensing Committee with a recommendation to issue the licence, unless the investigation or any other information available to the Licence Manager discloses :
 - (a) a reasonable ground to believe that the application is not in compliance with the By-law, or
 - (b) that the applicant may not be entitled to the issuance of a licence on the grounds referred to in this By-law or by reason of any other provision of this By-law or other applicable law.
- (2) If the investigation or any other information available to the Licence Manager discloses reasonable grounds to believe that the applicant may not be entitled to the issuance of a licence on grounds referred to in this By-law, or by reason of any other provision of this By-law or other applicable law, the Licence Manager shall cause notice of this fact and the reasons therefor to be served upon the applicant at the address for notices shown on the application form, and may refer the matter to the Licensing Committee for the holding of a hearing under this By-law.

APPROVAL, DENIAL, REVOCATION AND SUSPENSION OF LICENCES

10. Where the Licence Manager has referred an application to the Licensing Committee for a hearing pursuant to section 9 or section 12 of this By-law, the Licensing Committee may, after a hearing, or after an opportunity for a hearing has been given to the applicant:
 - (a) grant the application in whole or in part and direct that the licence be issued, subject to compliance with this By-law;
 - (b) recommend that Council refuse in whole or in part to grant the application upon grounds contained in this By-law or otherwise by law;
 - (c) adjourn the application or make such other disposition as permitted by law.
11. An applicant for a licence who complies with the provisions of this By-law is, subject to the provisions of this By-law and section 109.1 of the Municipal Act, R.S.O. 1990, c. M-45, entitled to be issued a licence except where:
 - (a) there are reasonable grounds for belief that any application form or other document provided to the Licensing Division by or on behalf of the applicant contains a false statement or provides false information; or
 - (b) the past or present conduct of the applicant, or of any partner, in the case of an applicant which is a partnership, or of any director, officer, agent or employee of a corporation, if the applicant is a corporation, affords reasonable grounds for belief that the business in respect of which the application is made will not be carried on in accordance with the law and with integrity and honesty; or
 - (c) there are reasonable grounds for belief that the carrying on of the said business will result in a breach of this By-law or any other law, including any applicable zoning requirement; or

- (d) there are reasonable grounds for belief that the application does not meet all the requirements of this By-law, or that the business is carried on or intended to be carried on in an area of the City where such business is prohibited by this By-law from being carried on, or in respect of which the issuing of a licence in respect of the business is not permitted by this By-law; or
 - (e) there are reasonable grounds for belief that the building, premises or place in which the business is carried on or intended to be carried on does not comply with the provisions of this By-law, or with any other law, including any applicable building requirements, or is dangerous or unsafe; or
 - (f) the conduct of the applicant or of one or more of the persons referred to in paragraph (b) of this subsection affords reasonable grounds for belief that the carrying on of the business in respect of which the licence is sought would infringe the rights, or endanger the health or safety, of one or more members of the public; or
 - (g) the fee payable in respect of the licence applied for has not been paid.
12. (1) The Licence Manager may, where he or she has reasonable grounds to believe that any one or more grounds exist upon which a licence could be revoked or suspended, the Licence Manager shall cause notice of this fact and the reasons therefor, with notice to the licensee of a right to a hearing, to be served upon the licensee at the address for notices shown on the application form, and may refer the matter to the Licensing Committee for the holding of a hearing in accordance with this By-law and other applicable law.
- (2) Where a matter has been referred to the Licensing Committee for a hearing under this section, and the applicant does not attend before the Licensing Committee at the time and place of which notice has been served upon such applicant in accordance with this By-law, the Licensing Committee may hold a hearing in the absence of the applicant without further notice to the applicant.
- (3) Pursuant to section 109.1, subsections (7), (8) and (9) of the Municipal Act, R.S.O. 1990, c. M-45, where the licensee has requested a review of conditions imposed on the licence provided such conditions have been in place no less than one year, or where Council has decided to review a decision made under this by-law, the Licensing Committee may hold the review in place of Council.
13. (1) Upon the conclusion of a hearing conducted by a Licensing Committee under this By-law, where a recommendation has been made to deny or revoke a licence, or suspend a licence with or without conditions, the Licensing Committee shall as soon as practicable make a written report to the Council, summarizing the evidence and arguments presented by the parties, the findings of fact made and the recommendations, if any, with reasons therefor on the merits of the application or matter in respect of which the hearing has been conducted.
- (2) After considering the report of the Licensing Committee provided under (1), Council may make any decision permitted under this By-law or section 109.1 of the Municipal Act, R.S.O. 1990, c. M-45, that might be made in respect of the hearing, without holding a further hearing or providing an opportunity for a further hearing to the applicant or licensee.
- (3) Council may suspend a licence with or without conditions, or deny or revoke a licence pursuant to section 109.1 of the Municipal Act, R.S.O. 1990, c. M-45, pursuant to section 11, or upon the grounds of non-

compliance by a licensee with this By-law or other applicable law, provided that no licence shall be revoked or suspended except after a hearing by the Licensing Committee appointed by by-law for the holding of one or more hearings, or after an opportunity for such a hearing has been afforded to the applicant or licensee in accordance with the law.

- (4) Council may notify the Liquor Licence Board of Ontario or any other licensing authority or other person, as it considers appropriate, of any action taken under this by-law.

TERMS OF LICENCES

14. Every licence issued under this By-law shall expire on December 31 of the year for which it is issued, unless sooner revoked or suspended.
15. A licence certificate issued under this By-law, and any form or document provided to a licensee or applicant for the insertion of information, is and shall remain the property of the Corporation, and shall be delivered forthwith to the Licensing Division upon the written or oral request of the Licence Manager.
16. A licence issued under this By-law:
- (a) is personal to the licensee to which it was issued and may not be transferred by the licensee;
 - (b) is only authorization for the use of premises for which it was issued and as identified on the certificate, and may not be transferred by the licensee to a location different than the location for which it was issued, without the written approval of Council or the Licensing Committee that the transfer is in compliance with this by-law; and,
 - (c) is subject to the provisions of this by-law as may be enacted from time to time.
17. Where a licence has been revoked, the licensee is entitled to a refund of a part of the license fee proportionate to the unexpired part of the term for which it was granted.
18. (1) Every licensee shall notify the Licensing Division in writing within four days after the event, of any change in any of the information contained in the application form.
- (2) Where a change has occurred in the name or business name of a licensee the licensee shall attend within four days of the date of the change at the office of the Licensing Division, to have the licence and licence records amended accordingly.

NOTICE

19. (1) A notice given pursuant to this by-law shall be served personally, or by registered mail sent to the person at the last address appearing in the records of the Licensing Division.
- (2) Service by registered mail shall be deemed to be made on the third day on the date of mailing, unless the person on whom service is being made established that he or she did not, acting in good faith, through absence, accident, illness or other cause beyond his or her control, receive the notice or order until a later date.

REGULATIONS APPLICABLE TO ALL ADULT VIDEO STORES

20. Every licensee shall:
- (a) prominently display the licence at the premises licensed at all times and shall produce the licence upon request by the Licence Manager, any by-law enforcement officer and any police officer;
 - (b) keep the premises in a clean and sanitary condition;
 - (c) maintain on the premises, during all business hours, a current list of all adult videos available on the premises, including the rating applied to the film by the Ontario Film Review Board and whether the film has been approved by the Board with the requirement to have affixed the designation of "Adult Sex Film", and make the list available for inspection by the Licence Manager, any municipal by-law enforcement officer or any police officer, and in the case of a Class B adult video store, the list shall indicate the number of all videos available and the number of adult videos available;
 - (d) advertise, promote and carry on such business only under the name in which the licence is issued, or such other business or trade name as provided to the Licensing Division in writing and added to such licence;
 - (e) not permit viewing of adult videos on the premises.

REGULATIONS APPLICABLE TO CLASS A ADULT VIDEO STORES

21. (1) No owner or operator of a Class A adult video store shall permit any person under the age of eighteen years to enter or remain in such store.
- (2) No owner or operator of a Class A adult video store shall permit any employee to work in that part of the video store in which adult videos are provided, unless such employee is of the age of eighteen years or older.
22. (1) Every owner or operator of a Class A adult video store shall post and keep posted at every entrance to the video store, and in a prominent location inside such store, signs sufficient to indicate clearly to any person approaching or entering the store, and to every person in the store, that no person under the age of eighteen years is permitted to enter or remain in such store or any part thereof.
- (2) No owner or operator of a Class A adult video store shall use exterior signs or advertisements for the store which use a pictorial representation of a specified body areas or a specified sexual activity.

REGULATIONS APPLICABLE TO CLASS B ADULT VIDEO STORES

23. In this part, an adult video shall include the container of an adult video which appeals to or is designed to appeal to erotic or sexual appetites or inclinations through the portrayal or depiction of:
- (a) one or more of the specified body areas of any person, or
 - (b) one or more of the specified sexual activities;
24. No owner or operator of a Class B adult video store shall permit any person under the age of eighteen years to enter or remain in any part of the video store where adult videos are displayed for sale.

25. (1) An owner or operator of a Class B adult video store shall designate an area of the video store as an adult videotape area, for the display area of all adult videos for sale from the premises, being an area identified and separated by the signs, doors or otherwise as required by (2), which area may be the whole or a portion of the premises.
- (2) An owner or operator of a Class B adult video store shall comply with the following regulations in respect of the adult videotape area designated under (1):
- (a) Subject to (d), signs shall be posted at every approach and entrance to the adult videotape area, indicating that no person under the age of 18 years old is permitted to enter or remain in the designated area;
 - (b) Adult videos shall be displayed only in the adult videotape area;
 - (c) Adult videos which reveal a specified body area or a specified sexual activity, shall be displayed so that they may not be viewed by any member of the public outside the adult videotape area;
 - (d) Where the whole store is designated as the area for the provision of adult video tapes, signs shall be posted at each public entrance to the store;
 - (e) Where less than the whole store is designated as the adult videotape area, the owner or operator shall ensure that:
 - (i) entrances to the designated area shall be equipped with a solid, opaque, self-closing, full length door; and
 - (ii) all adult videos or video covers and jackets, which display the specified body areas or specified sexual acts, being transported from the designated area to the cashier if outside the designated area, shall be enclosed in an opaque bag or other container, so that such pictorial content is not visible.
- (3) An owner or operator of a Class B adult video store providing adult videos shall be responsible for informing any employees of the video store of the boundaries of the adult videotape area designated under (1) and the requirement that persons under the age of 18 years old not be allowed to enter or remain in the area designated.
- (4) No owner or operator of a Class B adult video store shall permit a person under the age of eighteen years to enter or remain in the adult videotape area designated by the owner or operator under this section.

FINE

26. (1) Subject to (2), every person who contravenes this by-law, and every director or officer of a corporation who concurs in such contravention by the corporation is guilty of an offence and on conviction is liable to a fine not exceeding \$25,000.00, or to imprisonment for a term not exceeding one year or to both, in addition to costs and other penalties provided in law.
- (2) Where a corporation is convicted of an offence under subsection (1), the maximum fine imposed on the corporation is \$50,000.00, exclusive of costs, and not as provided therein.

SEVERABILITY AND SAVING

27. Should a court of competent jurisdiction declare a part or the whole of any provision of this by-law to be invalid or of no force and effect, the provision or part is deemed severable from this by-law, and it is the intention of Council that the remainder survive and be applied and enforced in accordance with its terms to the extent possible under the law.

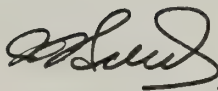
SHORT TITLE

28. This by-law may be referred to as the "Adult Video Store By-law", and licences issued under this by-law may be referred to as "Adult Video Store Licences".

EFFECTIVE DATE

29. (1) Subject to (2), this by-law comes into force and effect on the date of enactment.
- (2) Notwithstanding the provisions of this by-law, an adult video store which is not licensed as a Class A adult video store on the date of enactment, but which exceeds the percentage or number of adult videos for a Class B adult video store as defined, shall be deemed to require a Class B adult video store licence, and shall have one year from the date of enactment of this by-law to comply with respect to the number and percentage of adult videos permitted for a Class B adult video store.
- (3) City of Hamilton By-law 93-069 is hereby repealed.

PASSED this 29th day of August A.D. 1995.



City Clerk



Mayor

SCHEDULE 1 TO BY-LAW NO. 95- 173

(Section 4)

1. (1) Subject to this by-law, that part of premises at each of the following municipal addresses in actual use as an adult video store as of February 23, 1993, is hereby defined as an area in which one adult video store is permitted to operate and eligible to be licensed as a Class A adult video store, for so long as such part of such premises continues to be lawfully used for such purposes, if the store is in compliance with all other applicable law :
 - (a) 212 John Street South, Hamilton,
 - (b) 8 Fennell Avenue West, Hamilton,
 - (c) 478 King Street East, Hamilton, and
 - (d) 128 Parkdale Avenue North, Hamilton.
- (2) The areas provided in subsection (1), shall be deemed to include that part of the premises in respect of which application was made, prior to February 24, 1993, for a building permit for alterations to enable the expansion of the existing Class A adult video store, provided that the building permit is granted.
2. In addition to the areas defined in section 1 of this Schedule and subject to this by-law, a Class A adult video store may be operated in a "J" District, "K" District, or "M-11" District as provided and described in City of Hamilton Zoning By-law 6593 as amended, provided however, that the Class A adult video store shall be located on a lot having a minimum radial separation distance of 500 metres from the lot line to the lot line of every lot in a residential district, as also provided and described in Zoning By-law 6593 as amended, and further subject to compliance with all applicable law including the enactment by the Council of all amendments to its zoning by-laws.
3. (1) Subject to (2), the total number of Class A adult video store licences to be granted under this by-law is 4.
- (2) The total number of Class A adult video store licences to be granted under this by-law shall be reduced from 4, as the licences expire without renewal by the licence holder or as the licences are otherwise surrendered or lawfully revoked, until the number of licences is reduced to 2.

THE CORPORATION OF THE CITY OF HAMILTON**BY-LAW NO. 95 - 174****TO AUTHORIZE AN AMENDING AGREEMENT to an EXTENSION AGREEMENT
FOR PAYMENT OF REALTY TAX ARREARS**

WHEREAS on September 28, 1993, as Instrument Number 164996, pursuant to the Municipal Tax Sales Act, R.S.O. 1990, c. M.60, (hereinafter referred to as the "Act"), the Treasurer did register a Tax Arrears Certificate on title to the land described in Schedule "A" attached hereto, indicating:

- (a) that there are arrears of realty taxes in excess of three (3) years on the land described in Schedule "A" attached hereto, (hereinafter referred to as the "land" or the "Land"); and,
- (b) that the said land shall be sold by public sale if the Cancellation Price is not paid within one year following the date of registration of the Tax Arrears Certificate, namely, on or before September 28, 1994.

AND WHEREAS the Municipal Tax Sales Act further states that the Council of a municipality may, by by-law, authorize an Extension Agreement with the owner of land in arrears of realty taxes in excess of three (3) years, (after the registration of a Tax Arrears Certificate and before the expiry of the one year redemption period), for the purpose of extending the period of time within which the Cancellation Price is to be paid;

AND WHEREAS the Municipal Tax Sales Act further states that the said Extension Agreement may extend the period of time within which the Cancellation Price is required to be paid subject to such terms and conditions relating to payment as may be required therein by the municipality;

AND WHEREAS MNC LIFECARE GROUP INC., (hereinafter referred to as the "Owner"), is the Owner of the said land and it had requested that the City exercise its discretion to pass a by-law to authorize an Extension Agreement to extend the period of time in which the Cancellation Price shall be paid and the terms thereof;

AND WHEREAS By-law No. 94-159 was enacted on September 27, 1994 within the said one year period in which such by-law may be enacted, namely, on or before September 28, 1994, to extend the period of time for the payment of the Cancellation Price;

AND WHEREAS the City, pursuant to Bylaw No. 94-159, entered into an Extension Agreement (dated September 28th, 1994) with the Owner and such Extension Agreement was registered on title to the Owner's land on the 28th day of September 1994, as Instrument Number 194830;

AND WHEREAS MNC LIFECARE GROUP INC. has requested from time to time that the City vary the periods of time, the terms and the conditions of the Owner's payment of tax arrears set out in the said registered Extension Agreement;

AND WHEREAS the City amended By-law No. 94-159 pursuant to Bylaw No. 95-23 and Bylaw No. 95-73 to authorize revisions thereto and to authorize an Amending Agreement.

AND WHEREAS MNC LIFECARE GROUP INC. has made a further request of the City to vary the periods of time, the terms and the conditions of the Owner's payment of tax arrears set out in the said registered Extension Agreement;

AND WHEREAS the City hereby intends to amend By-law Nos. 94-159, 95-23, and 95-73 to authorize revisions thereto and to authorize a further Amending Agreement.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. (a) The period of time open for receipt of the Cancellation Price and the permitted payments of the Cancellation Price extended beyond the expiry of the said one year redemption period that were authorized in Schedule "B" of By-law No. 95-73, are hereby deleted and replaced with the periods of time and the payments set out in Schedule "B" of this amending by-law and the periods of time and payments set out in Schedule "B" attached to this amending by-law, are hereby adopted as the revised extended periods of time and payments which can be authorized for the payment of the Cancellation Price by means of an agreement between the City and the Owner of the land to amend the said Extension Agreement.

(b) The Mayor and City Clerk are hereby authorized on behalf of the City to execute such amending Extension Agreement. Such Extension Agreement, as amended, shall cease on December 31st, 1996, or upon default of the Owner, or upon payment of the Cancellation Price in full, whichever is earlier.

2. As provided in the Municipal Tax Sales Act, notwithstanding any other provision of the Extension Agreement, or its amending agreement approved herein, it is understood and agreed that while the Extension Agreement, (as amended), remains a subsisting agreement in good standing:

- (a) that the Extension Agreement, (as amended), does not reduce the amount of the Cancellation Price;
- (b) that the Extension Agreement, (as amended), does not prohibit any person from paying the Cancellation Price at any time;
- (c) that any person may pay the Cancellation Price at any time;
- (d) that the Extension Agreement, (as amended), terminates upon payment of the Cancellation Price by any person;
- (e) that the Extension Agreement, (as amended), shall cease to be considered a subsisting Extension Agreement for purposes of section 9(2) of the Act, when and under what conditions set out in the Extension Agreement, (as amended).

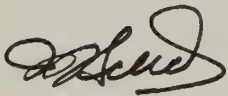
3. As also provided in the Municipal Tax Sales Act,

- (a) while such Extension Agreement, (as amended), is in good standing, the period of such time shall not be counted in calculating the time within which the Cancellation Price may be paid;
- (b) upon default by the owner in complying with the Extension Agreement, (as amended), or any term thereof, the Extension Agreement, (as amended), shall cease and, (unless there remains time within which the Cancellation Price may be paid and is paid), the land shall be offered for sale by the Treasurer.

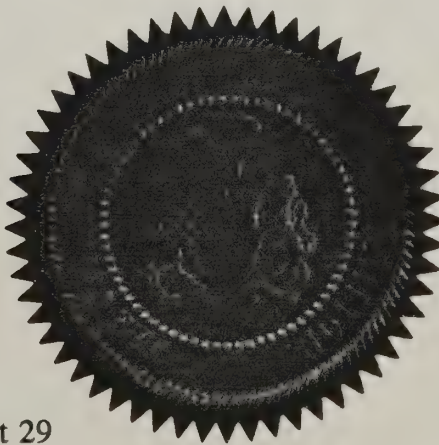
PASSED this 29th day of

August

A.D. 1995



CITY CLERK




MAYOR

SCHEDULE "A"

Attached to and forming part of a By-law to Authorize an Agreement to amend an Extension Agreement between The Corporation of the City of Hamilton and MNC LIFECARE GROUP INC.

FIRSTLY: Lots 4 and 5 in the block bounded by Rebecca, Mary, King William and Catharine Streets, Nathaniel Hughson Survey (unregistered) and being more particularly described as all of Part 1, Plan 62R-1523;

SECONDLY: Lot 12, Nathaniel Hughson Survey being in the block bounded by Catharine, Rebecca, Mary and King William Streets,

City of Hamilton,

Regional Municipality of Hamilton-Wentworth,

Registry Division of Wentworth.

As previously set out in Instrument Number 61628.

SCHEDULE "B"

Attached to and forming part of a By-law to Authorize an Agreement to amend an Extension Agreement between The Corporation of the City of Hamilton and MNC LIFECARE GROUP INC.

- (a) the last date for payment of the Cancellation Price is hereby authorized to be extended from September 28, 1994 upon the following revised extension terms and conditions, and such other terms and conditions as may be provided, to the payments and at the dates set out below subject to the terms of The Municipal Tax Sales Act, this by-law and the terms and conditions of the Extension Agreement dated September 28, 1994 as amended by the Amending Agreements dated January 11, 1995 and March 24, 1995, and the further Amending Agreement to be entered into by the Owner with the City;
- (b) The Cancellation Price, as of December 31, 1994, together with the 1995 and 1996 realty taxes as estimated by the City together with accrued penalty and interest, and the additional amounts above-referenced shall be paid as follows:
 - (i) In monthly sums to be not less than \$50,000.00 each to be paid on the last business day of each month commencing November of 1995 and ending in December of 1996;
 - (ii) The total of all of the instalments tendered and accumulated on December 31st, 1996 shall be an amount equal to the Cancellation Price, as of December 31, 1994, together with 1995 and 1996 realty taxes, interest, penalty, and costs as provided by the City; and
 - (iii) There shall be no monthly payments due and payable in the months of September and October 1995.
- (d) Where the date for making payment occurs on a holiday, payment shall be made prior to 5:00 p.m. on the next day following that is not a holiday and when the offices of the City are open for business.

BY-LAW NO. 95 - 175

TO CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON AT ITS MEETING HELD ON THE 29TH DAY OF AUGUST A.D., 1995.

WHEREAS by Section 9 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario, 1990, the powers of a municipal corporation are to be exercised by its Council;

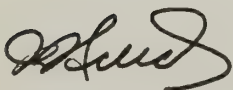
AND WHEREAS by Sub-section 1 of Section 101 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario 1990, the powers of every Council are to be exercised by by-law.

AND WHEREAS it is deemed expedient that the proceedings of the Council of The Corporation of the City of Hamilton at this meeting be confirmed and adopted by by-law.

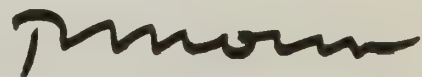
NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:-

1. The action of The Council of The Corporation of the City of Hamilton in respect to each recommendation contained in the Reports of the Committees and of the local Boards and Commissions and each motion and resolution passed and other action taken by the Council of The Corporation of the City of Hamilton at this meeting is hereby adopted and confirmed as if all such proceedings were expressly in this By-law.
2. The Mayor and the proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the action of the Council of The Corporation of the City of Hamilton referred to in the preceding section hereof.
3. The Mayor, or in the absence of the Mayor, the Acting Mayor, and the City Clerk, or in the absence of the City Clerk, the Acting City Clerk are authorized and directed to execute all documents necessary in that behalf and to affix thereto the seal of The Corporation of the City of Hamilton.

PASSED this 29th day of August A.D. 1995



CITY CLERK



MAYOR

The Corporation of the City of Hamilton

BY-LAW NO. 95- 176

Respecting

DEVELOPMENT CHARGES

WHEREAS Section 3 of the Development Charges Act, R.S.O. 1990, Chapter D.9 enables the Council of a municipality to pass by-laws for the imposition of development charges against land located in the municipality where the development of the land would increase the need for municipal services as designated in the By-law;

AND WHEREAS By-law No. 95-072 was enacted on March 23, 1995 to impose development charges in the City of Hamilton;

AND WHEREAS By-law No. 95-072 expires on September 23, 1995;

AND WHEREAS the Council of The Corporation of the City of Hamilton has given Notice in accordance with Section 4 of the Development Charges Act, of its intention to pass a by-law under Section 3 of the said Act;

AND WHEREAS the Council of The Corporation of the City of Hamilton, through its Finance and Administration Committee, at its meeting on August 29, 1995, has heard all persons who applied to be heard no matter whether in objection to, or in support of, the said by-law;

AND WHEREAS the Council of The Corporation of the City of Hamilton, at its meeting on September 19, 1995, directed that development charges be imposed on land under development or redevelopment within the geographical limits of the City of Hamilton as hereinafter provided.

NOW THEREFORE the Council of the Corporation of the City of Hamilton enacts as follows:

1. In this by-law,

(a) "capital cost" means costs incurred or proposed to be incurred by a municipality or a local board thereof directly or under an agreement,

(i) to acquire land or an interest in land,

(ii) to improve land,

(iii) to acquire, construct or improve buildings and structures,

(iv) to acquire, construct or improve facilities including,

1. rolling stock, furniture and equipment, and

2. materials acquired for circulation, reference or information purposes by a library board as defined in the Public Libraries Act, and

(v) to undertake studies in connection with any of the matters in clauses (i) to (iv),

required for the provision of services designated in a development charge by-law within or outside the municipality, including interest on borrowing for those expenditures under clauses (i), (ii), (iii) and (iv) that are growth-related;

- (b) "development" includes redevelopment but does not include the construction of an outdoor parking lot at grade, or the construction of a parking garage above or below grade;
- (c) "development charge" means a charge imposed with respect to growth-related net capital costs against land under this by-law;
- (d) "growth-related net capital cost" means the portion of the net capital cost of services that is reasonably attributable to the need for such net capital cost that results or will result from development in all or a defined part of the municipality;
- (e) "local board" means a school board, public utility commission, transportation commission, public library board, board of park management, local board of health, board of commissioners of police, planning board, or any other board, commission, committee, body or local authority established or exercising any power or authority under any general or special Act with respect to any of the affairs or purposes, including school purposes, of The Corporation of the City of Hamilton or any part or parts thereof;
- (f) "net capital cost" means the capital cost less capital grants, subsidies and other contributions made to a municipality or that the council of the municipality anticipates will be made, including conveyances or payments under Sections 41, 51 and 53 of the Planning Act, R.S.O. 1990, Chapter P.13, in respect of the capital cost;
- (g) "owner" means the owner of land or a person who has made application for an approval for the development of land upon which a development charge is imposed;
- (h) "services" means services designated in Parts II and III of this by-law.

PART I

APPLICATION

- 2. (1) Subject to subsection (2), this by-law applies to all lands in the City of Hamilton, whether or not the land or use is exempt from taxation under Section 3 of the Assessment Act, R.S.O. 1990, Chapter A.31.
- (2) This by-law shall not apply to land that is owned by and used for the purposes of,
 - (a) a board of education as defined by Section 29 (1) of the Development Charges Act, R.S.O. 1990, Chapter D.9,
 - (b) The Corporation of the City of Hamilton, or any local board thereof,
 - (c) The Regional Municipality of Hamilton-Wentworth, or any local board thereof, or
 - (d) the area municipalities of Ancaster, Dundas, Flamborough, Glanbrook, and Stoney Creek, or any local board thereof.

3. (1) Subject to subsection (2), development charges shall apply, and shall be calculated and collected in accordance with the provisions of this by-law, on land to be developed for residential and non-residential use, where,
 - (a) the development of land will increase the need for services, and
 - (b) the development requires,
 - (i) the passing of a zoning by-law or of an amendment thereto under Section 34 of the Planning Act, R.S.O. 1990, Chapter P.13;
 - (ii) the approval of a minor variance under Section 45 of the Planning Act;
 - (iii) a conveyance of land to which a by-law passed under subsection 50 of the Planning Act;
 - (iv) the approval of a plan of subdivision under Section 51 of the Planning Act;
 - (v) a consent under Section 53 of the Planning Act;
 - (vi) the approval of a description under Section 50 of the Condominium Act, R.S.O. 1990, Chapter G.26; or
 - (vii) the issuing of a permit under the Building Code Act, 1992, S.O. 1992, Chapter 23, in relation to a building or structure.
- (2) Subsection (1) shall not apply in respect of,
 - (a) local services installed at the expense of the owner within a plan of subdivision as a condition of approval under Section 51 of the Planning Act;
 - (b) local services installed at the expense of the owner as a condition of approval under Section 53 of the Planning Act; or
 - (c) local connections to water mains, sanitary sewers and storm drainage facilities installed at the expense of the owner including amounts imposed under a by-law passed under Section 222 of the Municipal Act, R.S.O. 1990, Chapter M.45;
4. Development charges as set out in Parts II and III of this by-law shall apply to all lands that are developed for residential and non-residential use in accordance with this by-law, but only insofar as the growth-related net capital costs are attributable to that use.
5. (1) Where two or more of the actions described in Section 3 (1) are required before land to which a development charge applies can be developed, only one development charge shall be calculated and collected in accordance with the provisions of this by-law.
- (2) Notwithstanding subsection (1), if two or more of the actions described in Section 3 (1) occur at different times, and if the subsequent action has the effect of increasing the need for municipal services as designated in Sections 7 and 11, an additional development charge shall be calculated and collected in accordance with the provisions of this by-law.

PART II**RESIDENTIAL DEVELOPMENT CHARGES**

6. In this part,

- (a) "apartment" means a building consisting of one or more dwellings which is not a single detached dwelling, a semi-detached dwelling or a row dwelling;
- (b) "bedroom" means any room that allows for the use of one or more persons, including but not limited to a den and family room, but does not include a room clearly designed as a kitchen, living room, dining room or bathroom;
- (c) "development charge" means residential development charge;
- (d) "grade" means the average level of finished ground adjoining a dwelling unit at all exterior walls;
- (e) "gross floor area" means the total area of all floors above grade of a dwelling unit measured between the outside surfaces of exterior walls or between the outside surfaces of exterior walls and the centre line of party walls dividing the dwelling unit from another dwelling unit or other portion of a building;
- (f) "residential" means designed, adapted or used as a home or residence of one or more individual, and shall include a single detached dwelling, a semi-detached dwelling, a row dwelling, and an apartment;
- (g) "semi-detached or row dwelling" means a residential building consisting of one dwelling unit having one or two vertical walls, but no other parts, attached to another structure;
- (h) "single detached dwelling" means a residential building consisting of one dwelling unit and not attached to another structure;

7. Development charges against land to be developed for residential use shall be based upon the following designated services provided by The Corporation of the City of Hamilton:

- (a) indoor and outdoor recreational facilities and lands related thereto;
- (b) parklands and other outdoor park facilities including sports fields and courts, landscaping, lighting, fencing, benches, but excluding the land required therefor by way of parkland dedication pursuant to Sections 41, 51 and 53 of the Planning Act;
- (c) libraries and lands related thereto, including circulating and non-circulating materials generally provided to library users by public libraries;
- (d) storm water retention systems;
- (e) oversizing of roads, installation of stub streets, street lights and fencing;
- (f) installation of traffic signals and signs, and services related thereto;
- (g) vehicles and equipment;
- (h) undertaking studies associated with new growth.

8. (1) Subject to the provisions of this part and this by-law, development charges against land to be developed for residential use shall be calculated and collected at the following base rates;

<u>Type of residential Unit</u>	<u>Per Unit</u>
- single detached dwelling, semi-detached dwelling, row dwellings	\$1,565.44
- two or more bedroom apartment	\$ 894.54
- bachelor and one-bedroom apartment	\$ 447.27

- (2) In addition to the development charges imposed by subsection (1), an additional area specific development charge against land to be developed for residential uses shall be calculated and collected against the lands shown and marked as subject to the Area Specific Development Charge for Engineering Services on Schedule "A" of this By-law at the following rates;

<u>Type of residential Unit</u>	<u>Per Unit</u>
- single detached dwelling, semi-detached dwelling, row dwellings	\$ 208.43
- two or more bedroom apartment	\$ 119.10
- bachelor and one-bedroom apartment	\$ 59.55

9. (1) Subject to subsections (2) and (3), Section 8 (1) shall not apply in respect of the creation of,

- (a) one or two additional dwelling units in an existing single detached dwelling; or
- (b) an additional dwelling unit in any other existing residential building.

- (2) Notwithstanding subsections (1) (a), development charges shall be calculated and collected in accordance with Section 8 (1) where the total gross floor area of the additional one or two units is greater than the total gross floor area of the existing dwelling unit.

- (3) Notwithstanding subsection (1) (b), development charges shall be calculated and collected in accordance with Section 8 (1) where the additional unit has a gross floor area greater than,

- (a) in the case of a semi-detached or row dwelling, the gross floor area of the existing dwelling unit, and
- (b) in the case of any other residential building, the gross floor area of the smallest dwelling unit contained in the residential building.

10. (a) Subject to section 9 of this by-law, where a residential redevelopment increases the number of dwelling units in a building or structure, a development charge shall only be payable for the increased number of units attributable to the redevelopment.

- (b) In determining the increased units subject to a development charge, the existing dwelling units shall be the maximum number of dwelling units in the building or structure within the ten years preceding an application for a Building Permit in respect of the increased dwelling units.
11. Where a residential building is constructed on a previously developed lot, an owner shall receive a credit towards the applicable development charge otherwise levied under this By-law for each new residential unit built, up to a maximum of 10 residential units.

PART III

NON-RESIDENTIAL DEVELOPMENT CHARGES

12. In this part,
- (a) "development charge" means non-residential development charge;
 - (b) "non-residential" means designed, adapted or used for any purpose, but does not include land designed, adapted or used for residential purposes as defined in Part II of this by-law;
13. A certified copy of this by-law may be registered on title to any land to which this by-law applies.
14. (1) Subject to subsection (2), the provisions of this part and this by-law, no non-residential development charge shall be imposed on against land to be developed for non-residential use.
- (2) Despite subsection (1), a development charge of \$1,633.00 per net developable acre for storm water retention works is imposed on the lands shown as subject to the storm water retention development charge on Schedule "B" of the By-law.
15. Subject to the provisions of this part and this by-law, development charges against land to be developed for mixed non-residential and residential use shall be calculated and collected as follows:

Development charges against that portion of the land to be developed for residential use shall be calculated and collected in accordance with Part II of this by-law;

PART IV

ADMINISTRATION

16. (1) Development charges shall be calculated and payable in full on the date that the building permit is issued in relation to a building or structure on land to which a development charge applies.
- (2) Where development charges apply to land in relation to which a building permit is required, the building permit shall not be issued until the development charge has been paid in full.
- (3) Notwithstanding subsection (1), an owner may enter into an agreement with the City of Hamilton to provide for the payment in full of a development charge on

the date that a building permit is applied for under City of Hamilton By-law No. 93-167 as amended in relation to a building or structure on land to which a development charge applies.

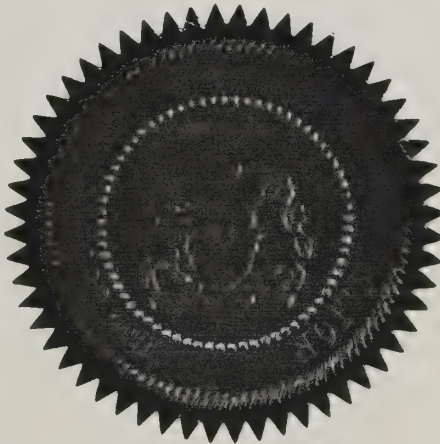
17. (1) Where this by-law or any development charge prescribed thereunder is amended or repealed either by order of the Ontario Municipal Board or by resolution of the Council of the Corporation of the City of Hamilton, the Treasurer for the City of Hamilton shall calculate forthwith the amount of any overpayment to be refunded as a result of said amendment or repeal.
- (2) Refunds that are required to be paid under subsection (1) shall be paid to the registered owner of the land on the date on which the refund is paid.
- (3) Refunds that are required to be paid under subsection (1) shall be paid with interest to be calculated as follows:
 - (a) Interest shall be calculated from the date on which the overpayment was collected to the date on which the refund is paid;
 - (b) The refund shall include the interest owed under this Section;
 - (c) Interest shall be paid at the Bank of Canada rate in effect on the later of,
 - (i) the date of enactment of this by-law, or
 - (ii) the date of the last quarterly adjustment thereto, in accordance with the provisions of subsection (4).
- (4) The Bank of Canada interest rate in effect on the date of enactment of this by-law shall be adjusted on the first business day of October, 1995 to the rate established by the Bank of Canada on that day, and shall be adjusted quarterly thereafter on the first business day of January, April, July and October to the rate established by the Bank of Canada on the day of the adjustment.
18. (1) Monies received from payment of development charges shall be maintained in a separate reserve fund or funds, and shall be used only to meet the growth-related net capital costs for which the development charge was levied under this by-law.
- (2) Income received from investment of the development charge reserve fund or funds shall be credited to the development charge reserve fund or funds in relation to which the investment income applies.
- (3) Where any development charge, or part thereof, remains unpaid after the due date, the amount unpaid shall be added to the tax roll and shall be collected as taxes.
- (4) Where any unpaid development charges are collected as taxes under subsection (3), the monies so collected shall be credited to the development charge reserve fund or funds referred to in subsection (1).
19. The development charges referred to in Sections 8 and 15 may be adjusted annually, without amendment to this by-law, as of the 31st day of December in accordance with the Composite Index for October as published in the October issue of the Southam Construction Cost Index (Ontario Series) for that year.
20. This by-law shall be administered by the Building Department and the Treasury Department of The Corporation of the City of Hamilton.

21. Notwithstanding any other provision of this by-law, where an application for a building permit under City of Hamilton By-law No. 93-167 is submitted to the Building Department of the City of Hamilton prior to the date of enactment of this by-law, the development charge rate in effect prior to the date of the enactment of this by-law shall apply.
22. (1) This by-law shall come into force and effect on the date of its enactment.
- (2) This by-law shall continue in force and effect for a term not to exceed five years from the date of its enactment, unless it is repealed at an earlier date by subsequent by-law.
23. This by-law may be cited as the Development Charges By-law.
24. By-law No. 95-072 is hereby repealed.

PASSED this *nineteenth* day of *September* 1995.

A. B. Hollowell

ACTING CITY CLERK



[Signature]

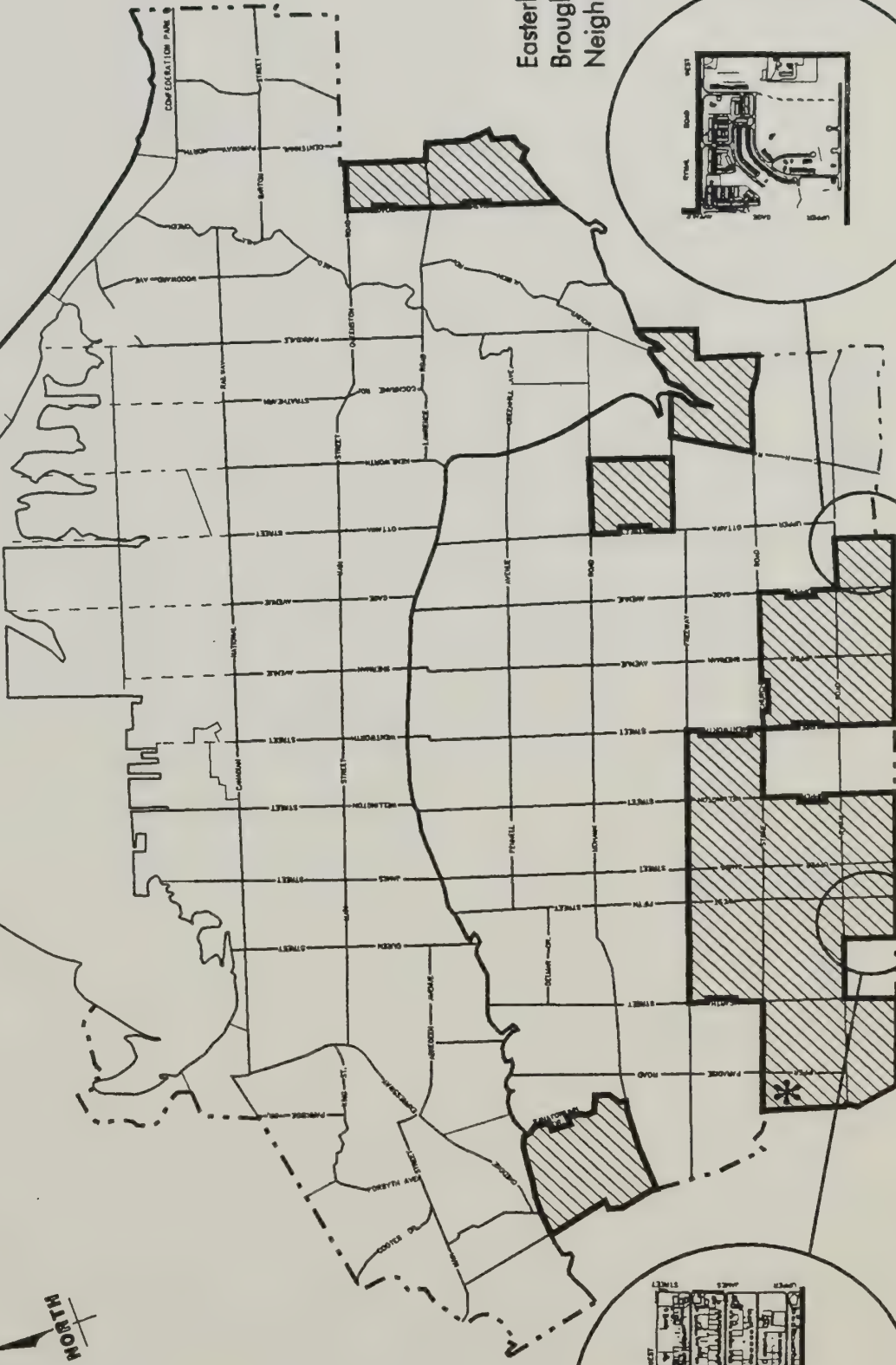
MAYOR

SCHEDULE "A"

Area Specific Development Charge
For Engineering Services

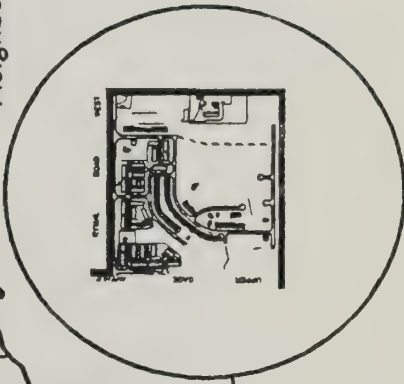
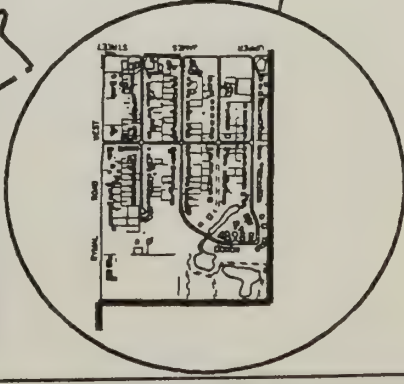
Lake Ontario

Hamilton Harbour



Westerly limit of
Kennedy East
Neighbourhood

Easterly limit of
Broughton East
Neighbourhood



Neighbourhoods For Which Area Specific Development Charge is Applicable



Area to be included when development plans are known

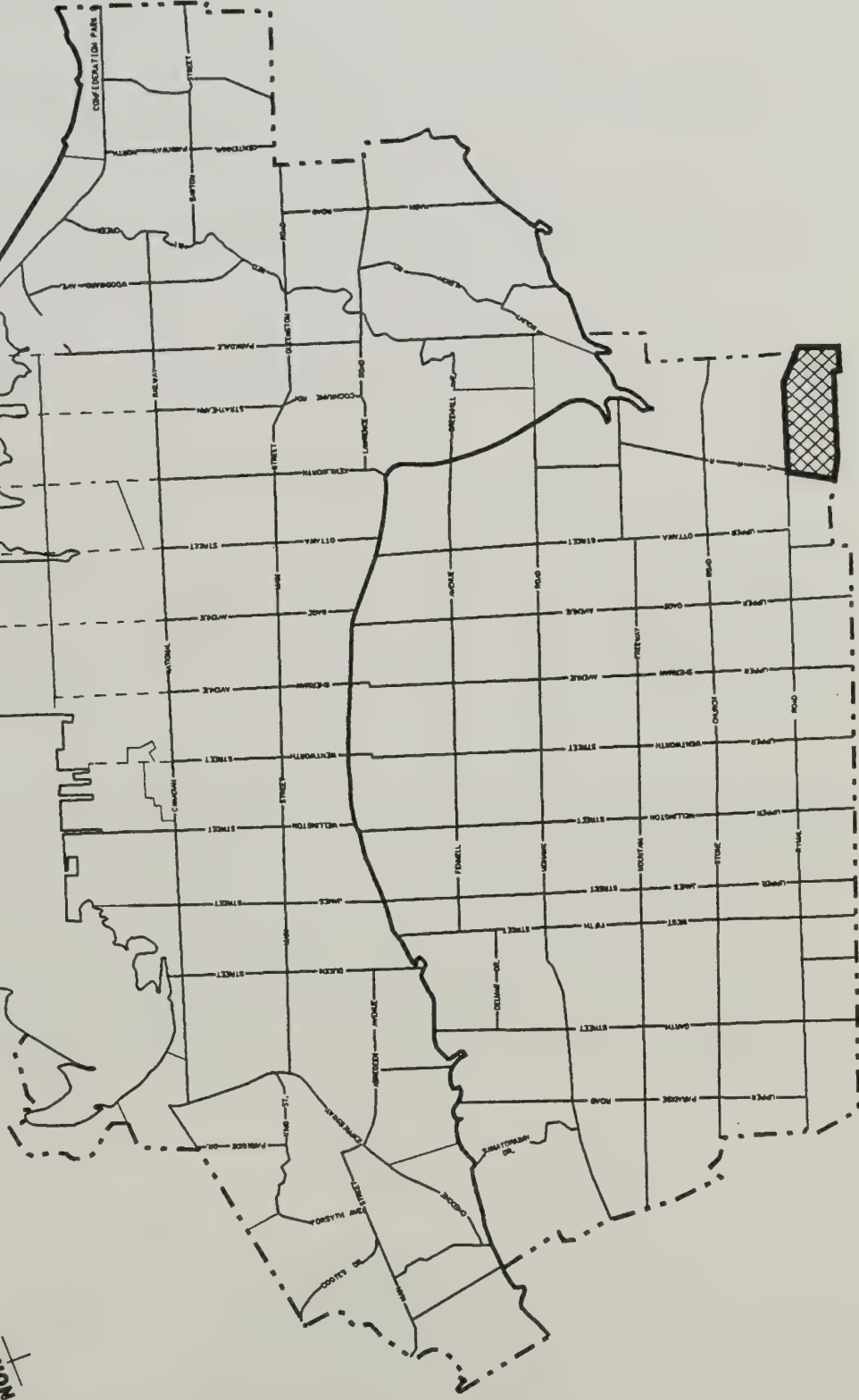
SCHEDULE "B"

Area Specific Development Charges
For Storm Water Retention Works



Lake Ontario

Hamilton Harbour



Neighbourhood For Which Area Specific
Development Charge is Applicable



BY-LAW NO. 95 - 177

TO CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF
THE CITY OF HAMILTON AT ITS MEETING HELD ON THE 19TH DAY OF
SEPTEMBER A.D., 1995.

WHEREAS by Section 9 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario, 1990, the powers of a municipal corporation are to be exercised by its Council;

AND WHEREAS by Sub-section 1 of Section 101 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario 1990, the powers of every Council are to be exercised by by-law.

AND WHEREAS it is deemed expedient that the proceedings of the Council of The Corporation of the City of Hamilton at this meeting be confirmed and adopted by by-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:-

1. The action of The Council of The Corporation of the City of Hamilton in respect to each recommendation contained in the Reports of the Committees and of the local Boards and Commissions and each motion and resolution passed and other action taken by the Council of The Corporation of the City of Hamilton at this meeting is hereby adopted and confirmed as if all such proceedings were expressly in this By-law.
2. The Mayor and the proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the action of the Council of The Corporation of the City of Hamilton referred to in the preceding section hereof.
3. The Mayor, or in the absence of the Mayor, the Acting Mayor, and the City Clerk, or in the absence of the City Clerk, the Acting City Clerk are authorized and directed to execute all documents necessary in that behalf and to affix thereto the seal of The Corporation of the City of Hamilton.

PASSED this 19th day of September A.D. 1995

A. E. Hollowell

ACTING CITY CLERK



[Signature]

MAYOR

BY-LAW NO. 95 - 178

TO AMEND BY-LAW NO. 89-72 TO REGULATE TRAFFIC

THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON ENACTS AS FOLLOWS:

TRAFFIC

1. **Schedule 34 (Sticker Permit Parking)** of By-law 89-72 To Regulate Traffic passed on the 28th day of February 1989 is hereby amended by adding thereto the following items, namely:-

"Maplewood	South	commencing at a point 76 feet west of Cedar to a point 18 feet westerly therefrom	Anytime
Markland	North	commencing at a point 65 feet east of the east curb line of Bruce to a point 22 feet easterly therefrom	Anytime
Ray	East	commencing at a point 256 feet north of York to a point 14 feet northerly therefrom	Anytime".

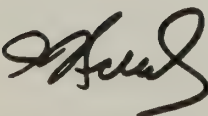
2. **Schedule 26 (No Parking Areas)** is hereby amended by deleting therefrom the following items, namely:-

"Robson	East & North	from the north property line of no. 51 Robson to the east property line of no. 57 Robson	Anytime
Pearson	West	commencing at a point 347 feet south of Mount Pleasant to a point 18 feet southerly therefrom	Anytime".

and by adding thereto the following item, namely:-

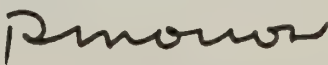
"Robson	East and North	from the east property line of no. 57 Robson to a point 86 feet north of the north curb line of Robson	Anytime".
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PASSED this 26th day of September A.D. 1995.



CITY CLERK





MAYOR

BY-LAW NO. 95 -179

TO AMEND BY-LAW NO. 89-72 TO REGULATE TRAFFIC

THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON ENACTS AS FOLLOWS:

TRAFFIC

1. **Schedule 10 (Stops at Intersections)** of By-law 89-72 To Regulate Traffic passed on the 28th day of February 1989 is hereby amended by adding thereto the following items, namely:-

"Britannia	Eastbound and Westbound	Tolton
Atkins	Northbound	Greencedar".

2. **Schedule 35 (Wheelchair Loading Zones)** is hereby amended by adding thereto the following item, namely:-

"Bingham	West	36 feet	commencing at a point	8:00 am to 5:00 pm
			59 feet north of Ayr	Monday to Friday".

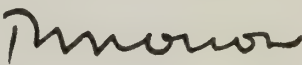
3. **Schedule 29 (No Stopping Areas)** is hereby amended by adding thereto the following item, namely:-

"Hughson	East	Charlton to 60 feet north	Anytime".
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PASSED this 26th day of September A.D. 1995.



CITY CLERK



MAYOR

The Corporation of the City of Hamilton

BY-LAW NO. 95- 180

To Amend By-law No. 88-12

To Revise:

THE BARTON GENERAL COMMUNITY IMPROVEMENT PLAN

WHEREAS Section 1 of By-law No. 88-11, passed on the 12th day of January 1988, designated the area described in Schedule "A", and shown on Schedule "B" thereto, as a community improvement project area, known as the "Barton General Community Improvement Project Area" in accordance with subsection 28(2) of the Planning Act, 1983, now R.S.O. 1990, Chapter P.13;

AND WHEREAS By-law No. 88-12, passed on 12th day January 1988, adopted The Barton General Community Improvement Plan which includes provisions regarding the rehabilitation and renewal of the said Community Improvement Project Area;

AND WHEREAS the Council of The Corporation of the City of Hamilton, at its meeting held on the 27th day of June 1995, (Item 8, 15th Report, Planning and Development Committee), authorized revisions to the said Barton General Community Improvement Plan;

AND WHEREAS the Council of The Corporation of the City of Hamilton, at its meeting held on the 29th day of August 1995, (Item 20, 17th Report, Planning and Development Committee), authorized further revisions to the said Community Improvement Plan;

AND WHEREAS subsection 28(7) of the Planning Act, states:

"(7) For the purpose of carrying out the community improvement plan, the municipality may make grants or loans to the registered owners or assessed owners of lands and buildings within the community improvement project area to pay for the whole or any part of the cost of rehabilitating such lands and buildings in conformity with the community improvement plan.";

AND WHEREAS the Building Department has held a public meeting on the 2nd day of August 1995 and taken other steps required by the Planning Act [subsection 28(4)] prior to the enactment of this by-law to amend the Barton General Community Improvement Plan;

AND WHEREAS it is intended to revise the said Community Improvement Plan for the said area with the following provisions;

AND WHEREAS by By-law No. 87-178 the Barton East #1 Business Improvement Area was designated by Council and for the said Area, Council has by By-law No. 87-308, as amended, established a corporation, the Board of Management for the Barton East #1 Business Improvement Area.

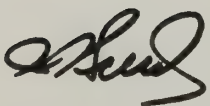
NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The amendments to the Barton General Community Improvement Plan hereto annexed as Schedule "A" and forming part of this by-law, are hereby adopted.
2. The City Solicitor is hereby authorized and directed to make application to the Minister of Housing and Municipal Affairs,
 - (a) for approval, as required by subsection 28(2) of the Planning Act, to this amending by-law adopting these amendments to the Barton General Community Improvement Plan;
 - (b) for approval, as required by subsection 28(8) of the community improvement provisions of the Planning Act, to be granted to the City by the Minister to permit the City to make the grants and offer the other assistance provided for in the Barton General Community Improvement Plan, as amended by this amending by-law, that would otherwise be bonuses prohibited by subsection 111(1) of the Municipal Act.
3. This by-law shall come into force and effect on or after the date the Minister grants the said two approvals.

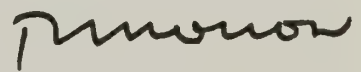
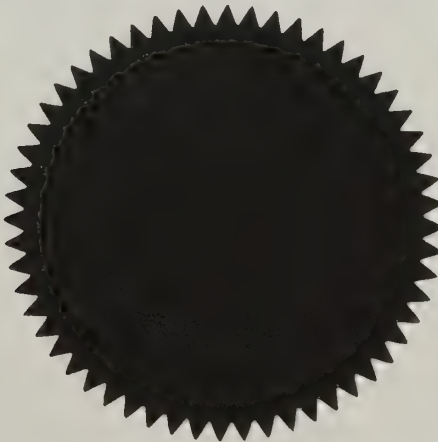
PASSED this *26th* day of

September

A.D. 1995



CITY CLERK



MAYOR

SCHEDULE "A"

TO BY-LAW NO. 95-180

The Barton General Community Improvement Plan is amended by the following additional provisions, which additional provisions shall prevail in the event of any conflict with the terms of the original Plan.

1.0 GENERAL

For the purpose of carrying out the Barton General Community Improvement Plan, the City of Hamilton may make grants and loans to the registered owners or assessed owners of lands and buildings within the said Community Improvement Project Area to pay for the whole or any part of the cost of the community improvement of any such lands, including the cost of rehabilitating such lands and buildings in conformity with the said Community Improvement Plan and upon the following additional terms and conditions.

Grants and loans are available only to the extent of funds allocated from time to time for those purposes by the Council of The Corporation of the City of Hamilton.

2.0 REVISED LOAN GUIDELINES

- 2.1 Upon receipt of a satisfactory application which meets the criteria set out herein, loans may be made by the City for a term not exceeding ten (10) years at an interest rate of one half of the City's prime borrowing rate, amortized for a maximum period of ten years (open).
- 2.2 These loans are solely intended for the owners of lands within the said designated Community Improvement Project Area where the owner's lands are used for non-residential purposes which, in the opinion of the City,
 - (a) are intended for the eligible improvements and expenses contemplated in the said Plan as amended herein;
 - (b) fulfil the objectives of the City expressed in the Barton General Community Improvement Plan, as amended herein;
 - (c) meet the security/equity and other requirements of the City specified herein.
- 2.3 While businesses which are tenants are not, according to the Planning Act, eligible for loans and grants provided for in the said Plan as amended herein, loans to eligible property owners for improvements which will also benefit business tenants are provided for in this Plan.
- 2.4 Loans may be made to an owner of a non-residential property not exceeding the sum of \$15,000. in respect of the cost of eligible facade and exterior renovations to each separate location of the owner's property specially assessed or specially assessable for a levy payable to the Barton East #1 Business Improvement Area. These loans are subject to a maximum limit of \$45,000. for each deeded property of the owner.
- 2.5 Loans may be made to an owner of a non-residential property not exceeding the sum of \$10,000. in respect of the cost of eligible interior improvements to each separate location of the owner or of a tenant under lease from the owner, specially assessed or specially assessable for a levy payable to the Barton East #1 Business Improvement Area, subject to,
 - (a) the tenant accepting in writing the proposed interior improvements; and
 - (b) a loan maximum of \$30,000. for each deeded property of the owner.

- 2.6 Loans may be made to an owner of a non-residential property not exceeding the sum of \$5,000. in respect of the cost of eligible exterior and facade improvements and to repair deficiencies in compliance with health, safety or property standards. This loan is in the discretion of Council and where approved, may be concurrent with or in addition to the maximum permitted loans specified in sections 2.4 and 2.5. This loan shall be unsecured and not registered on title. Section 2.10 (b) and (c) shall not apply to this loan.

Where this community improvement loan is the subject of a grant provided for in section 3 of this by-law, the grant to the owner to pay down the principal of this loan shall not exceed \$2,500. and shall be advanced as follows:

- (a) \$1,500. as of the completion of construction as confirmed by the Building Department; and
- (b) \$1,000., (or the balance of the grant), one year following the first advance;
- (c) Section 3.4 (d) on advancement of section 3 grants shall not apply.

- 2.7 Loans may be for the following types of improvements and their related expenses:

- exterior building envelope;
- major building systems, including roof, wiring, plumbing, heating;
- interior fixtures, including partitions;
- interior decorating, including lighting, painting, wallpaper, etc.;
- built-in showcases, freezers, special plumbing, etc.;
- exterior/interior signage;
- related professional fees (architects, engineers, appraisers, lawyers, etc.) and the application fee of the greater of 1.5% of the loan or \$200.;
- such other loan program administrative fees fixed by Council from time to time.

Loans shall be advanced only in respect of completed work which has been inspected by the City.

Loans may not be made for the following expenses: Chattels, such as tables, chairs, cash registers or rental and owner occupied residential accommodation.

- 2.8 The building envelope, including exterior shell (foundation, exterior walls, roof, fire escapes, chimneys) and major systems, shall be inspected by the Building Department. Deficiencies shall qualify for a loan in advance of facade improvements (store fronts, aesthetics, signage, etc.).
- 2.9 The owner will obtain two estimates for building envelope based on inspection, and two estimates for facade improvements proposed by owner. (The Building Department will examine the estimates based on their inspection.). A report prepared by the Housing and Loans Division of the Building Department, (including the recommendation of the Board of Management of the B.I.A.) on each loan will be made to the Planning and Development Committee and Council for approval.
- 2.10 As security for repayment of the loan to the City, the borrowing owner shall:
- (a) give the City a promissory note and, if a limited company, the personal guarantee of at least the majority of the owner(s) of the shares, together with documents satisfactory to the City confirming the authorization of the corporate borrower to borrow the loan and give the loan security to the City;

- (b) permit a City Lien to be registered on title to the property being improved in which property the owner must have at least 20% equity to provide security for the loan, after covering outstanding property encumbrances, including the amount of the City's loan;
 - (c) where the owner has less than 20% equity in the property being improved,
 - (i) the owner may grant the City a collateral mortgage in other property that meets the City's equity requirements, provided the owner's lawyer prepares and certifies to the City the collateral mortgage; or
 - (ii) the owner may provide the City with a guarantee from another person, provided the guarantee is secured by a mortgage on the Guarantor's property that meets the City's equity requirements and the Guarantor's lawyer prepares and certifies the guarantee and the collateral mortgage to the City in a form satisfactory to the City Solicitor;
 - (d) keep in good standing business, realty and B.I.A. levies.
- 2.11 Upon sale of a security property, the loan becomes due and payable in full to the City, unless the new owner meets the lending criteria and assumes the original terms and conditions of the loan.
- 2.12 Repayment of loans to the City shall be monthly but open to full repayment at any time without notice or penalty.

3.0 GRANT GUIDELINES

- 3.1 Grants may be made to recipients of loans under this Community Improvement Plan for a sum of up to 1/2 of the outstanding loan principal of such loans for the purpose of paying for the whole or any part of the cost of rehabilitating such lands and buildings in conformity with the Community Improvement Plan. Where the loan is less than \$5,000., pursuant to section 2.6 of this by-law, such grant may be for a sum equal to the amount of the loan principal.
- 3.2 Grants may also be made to recipients of loans under this Community Improvement Plan to cover the cost of Building Permit fees, Committee of Adjustment Applications and/or property compliance reports payable to the City, where these costs are incurred in respect of rehabilitating such lands and buildings in conformity with the Community Improvement Plan.
- 3.3 Grants may be made to business landowners to cover all or a portion of the cost of decorative murals to be erected on their lands to rehabilitate their lands and buildings in conformity with the Community Improvement Plan.
- 3.4 Conditions of Grants
- (a) The following accounts of grant recipients must be in good standing, prior to payment of any grant, unless the recipient directs the City in writing to apply the grant towards the amounts owing on any such account:
 - (i) the commercial loan repayments and interest thereon;
 - (ii) realty taxes on the property being improved;
 - (iii) business taxes; and
 - (iv) B.I.A. Levy;

- (b) Grants are available to recipients of loans under this Community Improvement Plan for rehabilitating their lands and buildings within the Barton East #1 Business Improvement Area and the said Community Improvement Project Area;
- (c) The maximum grants available to an owner(s) for each deeded property of the owner(s) shall not exceed \$30,000.;
- (d) Grant instalments will be advanced from the City by the direct paying down of principal in a Commercial Loan Program borrowers' loan account in three (3) instalments, in the 15:15:20 ratio, as follows:
 - (i) 15% of the loan amount at the time of construction completion as recorded by a Building Department Inspector;
 - (ii) 15% of the original loan amount on the anniversary date of the first advance; and
 - (iii) 20% on the anniversary date of the second advance.

4.0 MURALS ON PRIVATE PROPERTY

- 4.1 The City may allocate up to \$20,000. annually to the Barton East #1 Business Improvement Area for mural projects within the B.I.A. Co-ordination of murals to be placed on private property will be the responsibility of the B.I.A.
- 4.2 Costs for co-ordination, wages and materials of murals are to be submitted to the City for approval along with the art itself, and City grants will be advanced monthly to the B.I.A. on a per cent of completion basis.

The Corporation of the City of Hamilton

BY-LAW NO. 95-181
To Amend By-law No. 78-113

Respecting:

THE MAKING OF LOANS FOR REPAIRS TO RETAINING WALLS

WHEREAS pursuant to Section 31 of the Planning Act, R.S.O. 1990, Chapter P.13, By-law No. 78-113 was enacted on the 11th day of April, 1978 to prescribe standards for the maintenance and occupancy of property within the City of Hamilton;

AND WHEREAS section 32 of the said Act states,

32. (1) When a by-law under section 31 is in force in a municipality, the council of the municipality may pass a by-law for providing for the making of grants or loans to the registered owners or assessed owners of lands in respect of which a notice has been sent under subsection 31(6) to pay for the whole or any part of the cost of the repairs required to be done, or of the clearing, grading and levelling of the lands, on such terms and conditions as the council may prescribe.

(2) The amount of any loan made under a by-law passed under this section, together with interest at a rate to be determined by the council, may be added by the clerk of the municipality to the collector's roll and collected in like manner as municipal taxes over a period fixed by the council, and such amount and interest shall, until payment thereof, be a lien or charge upon the land in respect of which the loan has been made.

(3) A certificate signed by the Clerk of the municipality setting out the amount loaned to any owner under a by-law passed under this section, including the rate of interest thereon, together with a description of the land in respect of which the loan has been made, sufficient for registration, shall be registered in the proper land registry office against the land, and, upon repayment in full to the municipality of the amount loaned and interest thereon, a certificate signed by the Clerk of the municipality showing such repayment shall be similarly registered, and thereupon the lien or charge upon the land in respect of which the loan was made is discharged;

AND WHEREAS the Council of The Corporation of the City of Hamilton on the 28th day of June 1994, in adopting Item 7 of the 10th Report of the Planning and Development Committee, authorized revisions to By-law No. 78-113;

AND WHEREAS the Council of The Corporation of the City of Hamilton on the 11th day of July 1995, in adopting Item 2 of the 5th Report of the Committee of the Whole, authorized further revisions to the said by-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Subsection (d) of Section 1 of By-law No. 78-113 is deleted and replaced with the following:

(d) "certificate" means a certificate under Subsection 3 of Section 32 of the Planning Act;

2. Subsection (h) of Section 1 of By-law No. 78-113 is deleted and replaced with the following:

(h) "department" means the Building Department of The Corporation of the City of Hamilton;

3. The following sections are hereby added to By-law No. 78-113:

PART II Retaining Walls

19. This Part applies only in respect of loans to pay for the whole or any part of the cost of repairs of retaining walls required to be done by Notice of Violation under the Property Standards By-Law, to bring retaining walls into compliance with the by-law.

20. (1) For the purposes of this Part II of the by-law, every owner who resides in a residential dwelling unit on land may apply for a loan to pay for the whole or part of the cost of repairs to a retaining wall on the owner's land which repairs are required to be done by the said Notice of Violation.

(2) The amount loaned may include the costs of the repairs, including engineer's site inspection costs, engineering, legal, survey, construction costs and loan application costs. The amount of the loan shall not exceed the actual cost of repairs required to be done under The Property Standards By-law, less any amounts obtained or obtainable by the owner under O.H.R.P. or R.R.A.P., or a similar programme, and in no case shall the amount exceed the maximum permitted loan.

(3) A loan administration fee of the greater of one and one-half per cent of the loan or \$200.00 is payable by the applicant.

21. (1) The owner may apply by filing with the department an application in form and content satisfactory to the department and verified by statutory declaration.

(2) The owner shall, at the time of making application or upon request of the department, furnish the department with information, verified by statutory declaration,

- (i) that the retaining wall requires repairs in accordance with The Property Standards By-law;
- (ii) that the owner is not in arrears of municipal property taxes;
- (iii) that the total debt service ratio of the applicant does not prevent the applicant from assuming the obligation to repay the loan to the City; and
- (iv) the amount of the loan and any other registered encumbrance in relation to the value of the property.

22. (1) The owner shall, if required by the City, obtain engineering drawings in respect of the proposed repairs to the retaining walls and submit same with the loan application to the Building Department. The drawings shall be prepared by a Professional Engineer licensed to practice in Ontario and shall have affixed thereto the seal of the engineer.

(2) The owner shall retain a Professional Engineer licensed to practice in Ontario to undertake field review of the retaining wall repairs during their installation. Where such repairs are completed in keeping with good engineering practice and with the engineering drawings (where required), the owner is also required to submit to the Building Department a General Review Certificate prepared, signed and sealed by the said engineer, confirminig the repairs are satisfactory.

23. (1) The owner shall give the City a promissory note on repayment of the loan.

(2) The loan shall be recorded on title to the property by a Certificate of Lien pursuant to subsection 32(3) of the Planning Act.

(3) Where the amount of the loan and other registered encumbrances exceed ninety per cent (90%) of the value of the property, the owner may, if necessary, in order to provide the required security, give the City a collateral mortgage on other property that meets the City's equity requirements, provided the owner's lawyer registers and certifies the mortgage to the City in a form satisfactory to the City Solicitor.

24. (1) Upon compliance with requirements of this by-law, the Building Department shall inspect the retaining wall for the purpose of ascertaining the proposed repairs eligible for a loan.

(2) A statement of eligible repairs shall be mailed by ordinary prepaid post to the applicant, or delivered to him.

(3) The maximum permitted loan is \$20,000.00 which shall be available for an initial term of not less than five years and for a maximum term of fifteen years, or such lesser term as Council may require. Interest shall be a 3% interest calculated semi-annually, not in advance, during the initial term and subsequently, if the loan is renewed by the City, interest shall be at a rate not exceeding the prime lending rate then available to the City as of the first of the month preceding the renewal date. The loan is open for repayment at any time without notice or bonus.

(4) The loan shall become due and payable to the City in the event of a sale of the land, unless the prospective purchaser meets the borrowing/equity requirements of the loan and agrees, in writing, in a form satisfactory to the City Solicitor, to assume the obligation to repay the loan.

25. Every loan approved by Council is subject to the terms required by Council in approving a particular loan, including the following minimum terms and conditions:

- (i) the owner is responsible for carrying out the repairs of the retaining wall, including selection of the contractor(s);
- (ii) the owner shall repay the loan in monthly payments of principal, together with interest;
- (iii) the balance of the loan outstanding, together with interest thereon, shall immediately become due and payable,
 - (a) in the event of a default of payment of either principal or interest, at such time as they were required to be paid; or
 - (b) in the event of a sale of the land, as of the date of the sale;

- (iv) the loan shall be advanced to the owner by the City Treasurer upon notification from the Building Department as repairs are carried out in accordance with the requirements of The Property Standards By-law. The loan shall be advanced by the City's cheque payable to the owner and the contractor and forwarded to the owner.

26. No loan shall be made,

- (i) where the owner has not complied with the requirements of this by-law;
- (ii) unless the applicant satisfies the City that the applicant is the registered owner of the land;
- (iii) until the Planning and Development Committee and Council approve the loan; and
- (iv) except to the extent of funds as may be allocated for that purpose by Council from time to time.

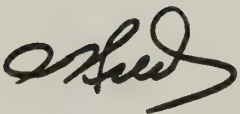
27. In the event of default of any required payment for a period in excess of forty-five days, the Clerk is authorized to add the amount of the loan and accrued interest to the collector's roll in order that the loan and interest thereon may be collected in like manner as municipal taxes.

4. Except as amended herein, By-law No. 78-113 is hereby confirmed.

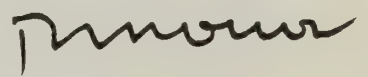
PASSED this 26th day of

September

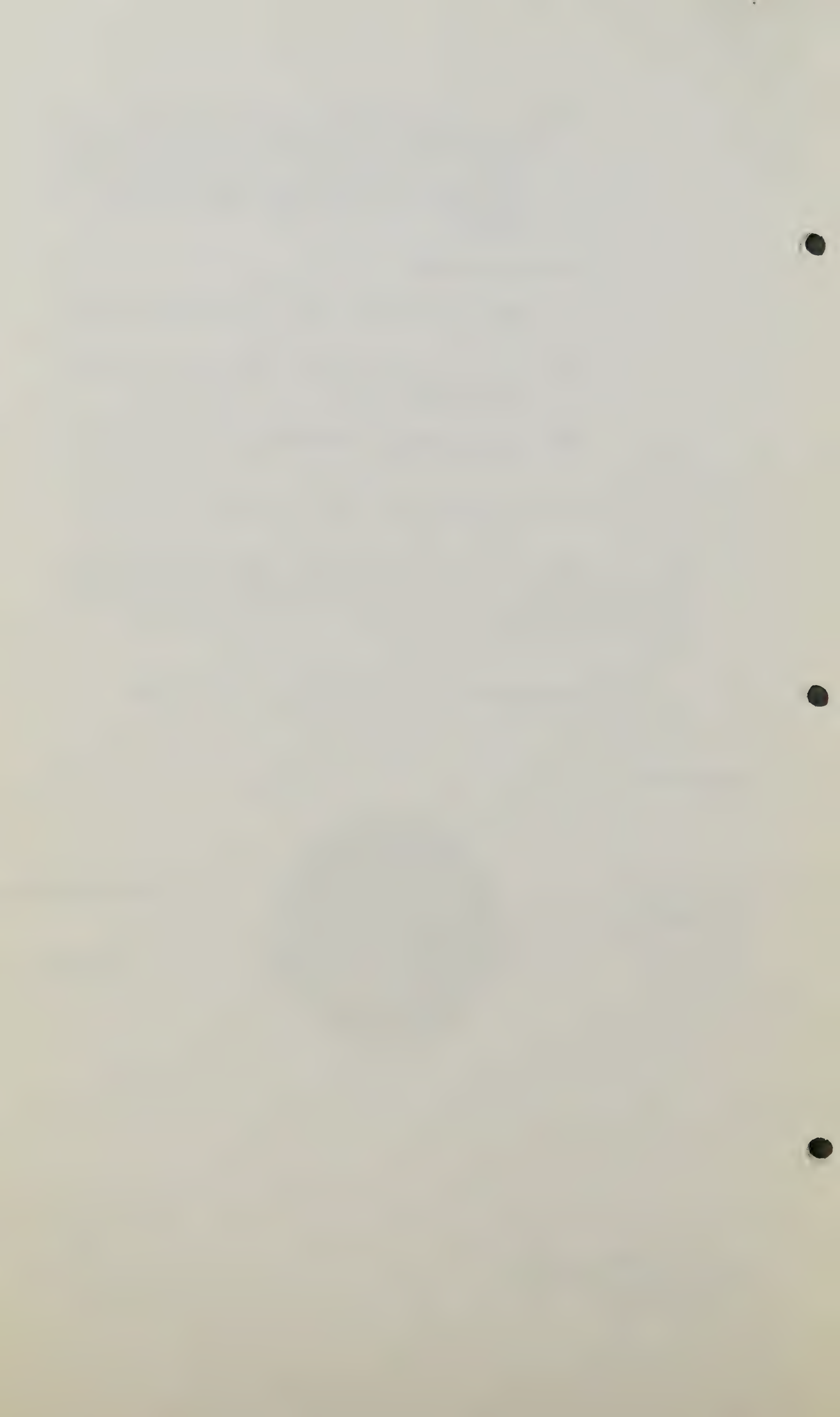
1995



CITY CLERK

MAYOR



The Corporation of the City of Hamilton

BY-LAW NO. 95- 182

To Amend:

Zoning By-law No. 6593

Respecting:

LANDS LOCATED AT MUNICIPAL NOS. 1451-1477 UPPER JAMES STREET

WHEREAS it is intended to change the zoning of the lands hereinafter referred to and to establish special requirements under section 19B of By-law No. 6593 passed on the 25th day of July 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

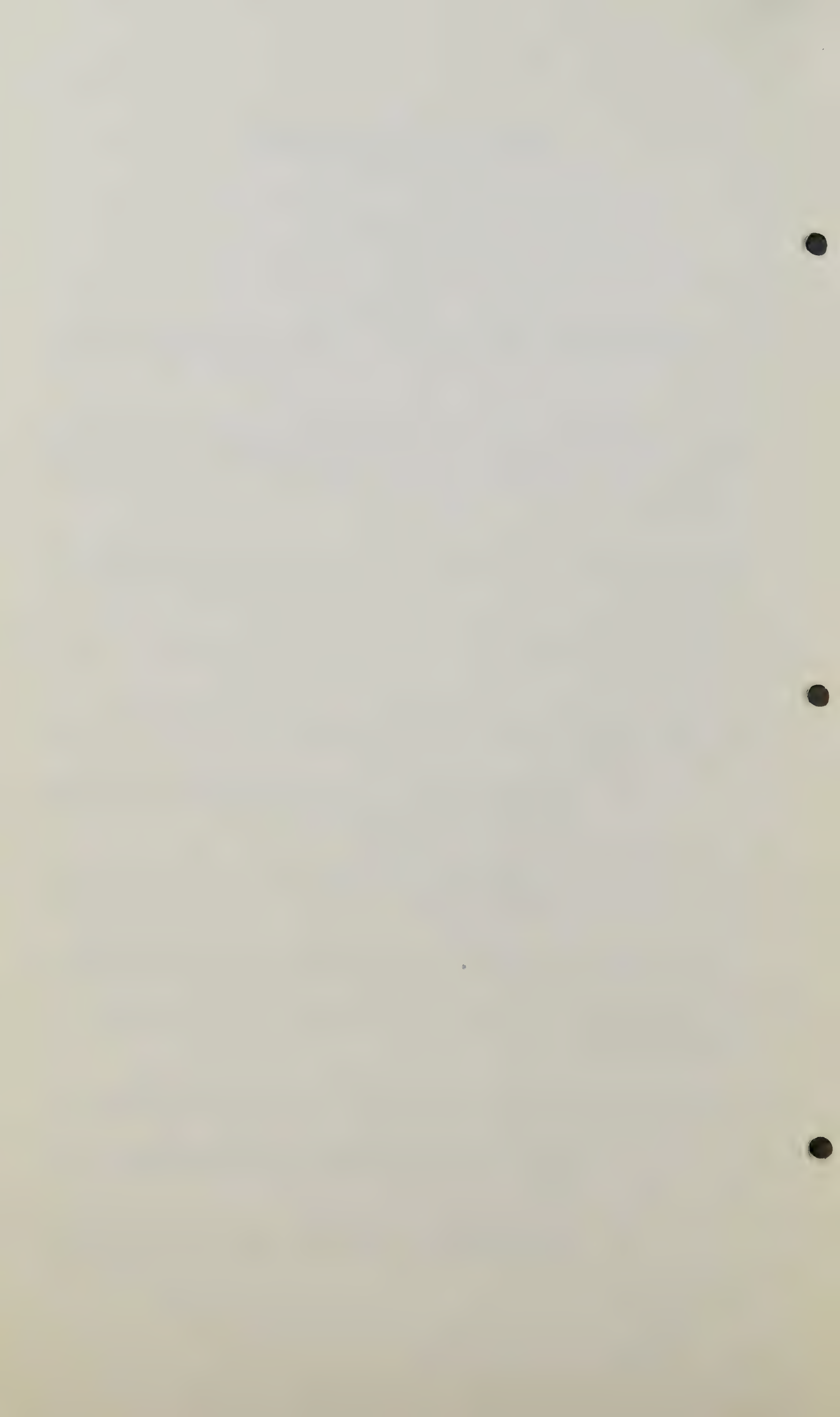
NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. E-9D of the District Maps, appended to and forming part of By-law No. 6593, is amended,

- (a) by changing from "C" (Urban Protected Residential, etc.) District to "G" - 'H' (Neighbourhood Shopping Centre, etc. - Holding) District, the land comprised in Block 1;
- (b) by changing from "AA" (Agricultural) District to "G" - 'H' (Neighbourhood Shopping Centre, etc. - Holding) District, the land comprised in Block 2; and
- (c) by changing from "AA" (Agricultural) District to "RT-30"-'H' (Street Townhouse - Holding) District, the land comprised in Block 3,

the extent and boundaries of each of which Blocks 1, 2 and 3 are shown on a plan hereto annexed as Schedule "A".

- 2. (a) The 'H' symbols referred to in section 1 shall be removed conditional upon,
 - (i) the installation of municipal storm and sanitary sewers, and water services for Block 3 of the subject lands as the City deems necessary; and
 - (ii) the applicant/owner applying for and receiving approval of a Site Plan Control Application from the City of Hamilton for Blocks 1 and 2;



(b) The 'H' symbols shall be removed by amendment to this by-law and the development of the lands referred to in section 1 may at such time proceed in accordance with the "G" District and "RT-30" District provisions, subject to the special requirements referred to in section 3 of this by-law.

3. The "G" (Neighbourhood Shopping Centre, etc.) District provisions, as contained in Section 13 of Zoning By-law No. 6953, applicable to the lands referred to in section 1(a) and 1(b) are amended to the extent only of the special requirements that,

- (a) notwithstanding Section 13.(1) of By-law No. 6593, the following additional commercial uses shall be permitted:
 - 1. A liquor dispensary;
 - 2. A brewer's retail store; and
 - 3. A video store;
- (b) notwithstanding Section 13.(3)(i) of By-law No. 6593, a front yard of a depth not less than 6.0 m shall be provided and maintained along the entire westerly boundary of Block 1;
- (c) notwithstanding Section 13.(3)(ii) of By-law No. 6593, a side yard of a depth of not less than 6.0 m shall be provided and maintained along the entire southerly boundary of Blocks 1 and 2;
- (d) notwithstanding Section 13.(1)(xv) of By-law No. 6593, only one (1) business identification sign that is a ground sign and having a vertical dimension of not more than 6.0 metres, an aggregate area of vertical projection of not more than 1.0 square metre per 0.5 metre of street frontage of the lot, and located not less than 4.5 metres from the Upper James Street streetline shall be permitted;
- (e) notwithstanding clause 2.(2)J.(xb) of By-law No. 6593, one (1) directional sign at each point of ingress and egress, and each said sign of a size not exceeding 1.2 square metres (12.92 square feet) shall be permitted;
- (f) no sign shall be illuminated unless the source of light is steady and suitably shielded to contain the illumination;
- (g) a minimum 6.0 m wide landscape area shall be provided and maintained along the entire westerly boundary of Block 1, except for any area used for driveway access;
- (h) a minimum 3.0 m wide planting strip shall be provided and maintained along the entire southerly boundary of Blocks 1 and 2, except for any area used for driveway access; and
- (i) a planting strip not less than 3.0 m in width and a visual/acoustical barrier between 1.8 m and 2.0 m in height shall be provided and maintained along the entire easterly lot line of Block 2.

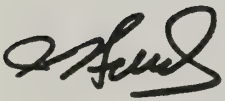
4. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "G" District provisions, subject to the special requirements referred to in section 3.

5. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1342.
6. Sheet No. E-9D of the District Maps is amended by marking the lands referred to in section 1(a) and (b) of this by-law, S-1342.
7. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

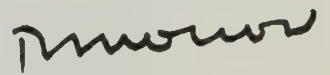
PASSED this 26th day of

September

A.D. 1995



CITY CLERK

MAYOR

(1995) 16 R.P.D.C. 1, July 11
90074 Ontario Inc. (Roy Yates),
Owner and Prospective Owner
Amended ZA-95-10

CERTIFIED A TRUE COPY.

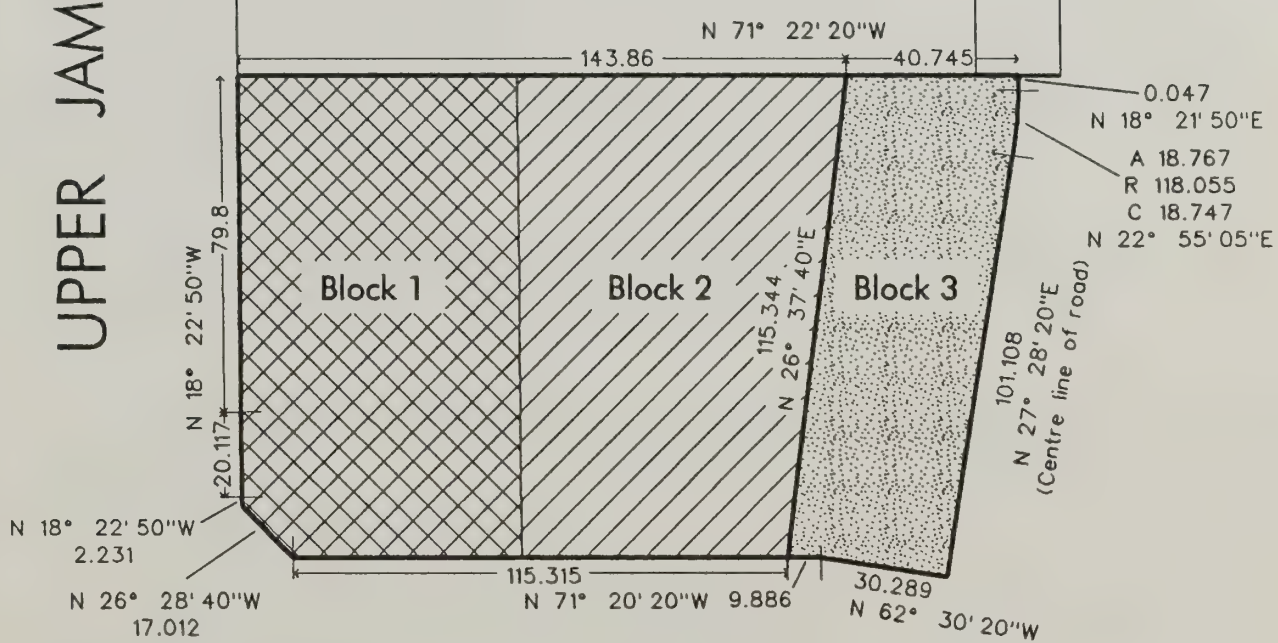
CITY CLERK

STONE CHURCH ROAD

UPPER JAMES STREET

Dicenzo Dr

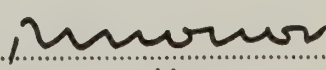
Regina Dr



NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 95-182
Passed the 26th day of September, 1995.


Clerk


Mayor

City of Hamilton

Schedule A

Map Forming Part of
By-Law No. 95-182
to Amend By-Law No. 6593

Planning and Development Department

Legend

- Change in zoning from:
- Block 1: "C" (Urban Protected Residential, etc.) District to "G" - "H" (Neighbourhood Shopping Centre, etc. - Holding) District, modified
 - Block 2: "AA" (Agricultural) District to "G" - "H" (Neighbourhood Shopping Centre, etc. - Holding) District, modified
 - Block 3: "AA" (Agricultural) District to "RT-30" - "H" (Street Townhouse - Holding) District



North



Scale
Not to Scale

Date
SEPT 1995

Reference File No.
ZAC-95-10

Drawn By
D.L.

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO.95- 183

TO AUTHORIZE AN EXTENSION AGREEMENT

FOR PAYMENT OF REALTY TAX ARREARS

WHEREAS the Municipal Tax Sales Act, R.S.O. 1990, c.M.60, (hereinafter referred to as the "Act"), states that the Council of a municipality may, by by-law, authorize an Extension Agreement with the owner of land in arrears of realty taxes in excess of three (3) years after the registration of a Tax Arrears Certificate and before the expiry of the one year redemption period;

AND WHEREAS the Municipal Tax Sales Act (section 8) states that the said Extension Agreement may extend the period of time, upon the terms specified therein, within which the Cancellation Price is to be paid;

AND WHEREAS, pursuant to the Municipal Tax Sales Act, the Treasurer did register a Tax Arrears Certificate indicating arrears of realty taxes in excess of three (3) years on the lands described in Schedule "A" annexed hereto,

AND WHEREAS, the said land is recorded by The Corporation of the City of Hamilton under the specific Tax Roll Serial Nos. indicated in Schedule "A" annexed hereto.

AND WHEREAS, The Owners of the lands described in Schedule "A" have requested that the City exercise its discretion to pass a bylaw to authorize an Extension Agreement to extend the period of time in which the Cancellation Price may be paid.

AND WHEREAS the one year period within which this by-law may be enacted will therefore expire on the days described as the redemption date of Schedule "A" attached hereto.

NOW THEREFORE the Council of the Corporation of the City of Hamilton enacts as follows:

1. (a) The time open for acceptance and the permitted payments of the Cancellation Price beyond the expiry of the said one year redemption period as set out in Schedule "A" are hereby authorized to be extended pursuant to an Extension Agreement.

(b) The owner of the land described in Schedule "A" may, on or before the redemption date, enter into the Extension Agreement with The Corporation of the City of Hamilton, and the Mayor and City Clerk are hereby authorized to execute the Extension Agreement on behalf of the City.
2. As provided in the Municipal Tax Sales Act, notwithstanding any other provision of this Extension Agreement, it is understood and agreed that while the Extension Agreement remains a subsisting agreement in good standing:

(a) that the Extension Agreement does not reduce the amount of the Cancellation Price.

(b) that the Extension Agreement does not prohibit any person from paying the Cancellation Price at any time.

(c) that any person may pay the Cancellation Price at any time.

(d) that the Extension Agreement terminates upon payment of the Cancellation Price by any person.

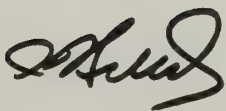
(e) that the Extension Agreement shall cease to be considered a subsisting Extension Agreement for purposes of section 9(2) of the Act, when and under what conditions set out in the Extension Agreement.

3. As also provided in the Municipal Tax Sales Act,

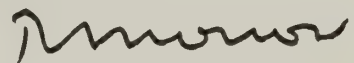
(a) while such Extension Agreement is in good standing, the period of such time shall not be counted in calculating the time within which the Cancellation Price may be paid.

(b) upon default by owner in complying with the Extension Agreement or any term thereof, the Extension Agreement shall cease and, (unless there remains time within which the Cancellation Price may be paid and is paid), the land shall be offered for sale by the Treasurer.

PASSED this 26th day of September 1995, A.D.,



CITY CLERK



MAYOR

SCHEDULE "A"
EXTENSION AGREEMENTS

PROPERTY ADDRESS	128 ALLENBY AVENUE
SERIAL NUMBER	25 18 080 891 01590
BRIEF LEGAL DESCRIPTION	ALL OF LOT 43, PLAN 551
DATE OF REGISTRATION	25 NOVEMBER 1994
INST # OF TAX ARREARS CERTIFICATE	VM199455
REDEMPTION DATE	25 NOVEMBER 1995
TOTAL ARREARS	\$13,679.53

PROPERTY ADDRESS	6 MINTO STREET
SERIAL NUMBER	25 18 030 237 02390
BRIEF LEGAL DESCRIPTION	PLAN 381, PT LOT 33
DATE OF REGISTRATION	25 NOVEMBER 1994
INST # OF TAX ARREARS CERTIFICATE	VM199453
REDEMPTION DATE	25 NOVEMBER 1995
TOTAL ARREARS	\$7,598.52

PROPERTY ADDRESS	8 HARVEY STREET
SERIAL NUMBER	25 18 030 234 06000
BRIEF LEGAL DESCRIPTION	PLAN 170, PT LOT 3 & 4
DATE OF REGISTRATION	25 NOVEMBER 1994
INST # OF TAX ARREARS CERTIFICATE	VM199452
REDEMPTION DATE	25 NOVEMBER 1995
TOTAL ARREARS	\$7,076.16

PROPERTY ADDRESS	89 SANFORD AVENUE SOUTH
SERIAL NUMBER	25 18 030 243 01960
BRIEF LEGAL DESCRIPTION	PLAN 225, PT LOT 15 & 16
DATE OF REGISTRATION	25 NOVEMBER 1994
INST # OF TAX ARREARS CERTIFICATE	VM199451
REDEMPTION DATE	25 NOVEMBER 1995
TOTAL ARREARS	\$18,131.16

PROPERTY ADDRESS	4 MARS AVENUE
SERIAL NUMBER	25 18 030 222 06330
BRIEF LEGAL DESCRIPTION	PLAN 209, PT LOTS 1 & 2
DATE OF REGISTRATION	25 NOVEMBER 1994
INST # OF TAX ARREARS CERTIFICATE	VM199454
REDEMPTION DATE	25 NOVEMBER 1995
TOTAL ARREARS	\$6,823.07

PROPERTY ADDRESS	000 UPPER JAMES STREET
SERIAL NUMBER	25 18 070 861 02501
BRIEF LEGAL DESCRIPTION	CON 8 PT LOT 14 BTN HAM
DATE OF REGISTRATION	25 NOVEMBER 1994
INST # OF TAX ARREARS CERTIFICATE	VM199458
REDEMPTION DATE	25 NOVEMBER 1995
TOTAL ARREARS	\$5,960.60

PROPERTY ADDRESS	340 JACKSON STREET WEST
SERIAL NUMBER	25 18 010 084 03950
BRIEF LEGAL DESCRIPTION	BLOCK 1 RANGE E, PT LOT 11
DATE OF REGISTRATION	25 NOVEMBER 1994
INST # OF TAX ARREARS CERTIFICATE	VM199457
REDEMPTION DATE	25 NOVEMBER 1995
TOTAL ARREARS	\$10,127.00

SCHEDULE "A"
EXTENSION AGREEMENTS

PROPERTY ADDRESS	105 HEMPSTEAD DRIVE
SERIAL NUMBER	25 18 060 721 05690
BRIEF LEGAL DESCRIPTION	PLAN 62M-489, LOT 1
DATE OF REGISTRATION	25 NOVEMBER 1994
INST # OF TAX ARREARS CERTIFICATE	LT374812
REDEMPTION DATE	25 NOVEMBER 1995
TOTAL ARREARS	\$135,292.91

PROPERTY ADDRESS	405 HESS STREET SOUTH
SERIAL NUMBER	25 18 020 131 01570
BRIEF LEGAL DESCRIPTION	PLAN 789, LOT 13
DATE OF REGISTRATION	29 NOVEMBER 1994
INST # OF TAX ARREARS CERTIFICATE	VM199746
REDEMPTION DATE	29 NOVEMBER 1995
TOTAL ARREARS	\$1,220.75

PROPERTY ADDRESS	19 MAYFLOWER AVENUE
SERIAL NUMBER	25 18 040 283 54770
BRIEF LEGAL DESCRIPTION	LOT 28, PLAN 442
DATE OF REGISTRATION	29 NOVEMBER 1994
INST # OF TAX ARREARS CERTIFICATE	VM199745
REDEMPTION DATE	29 NOVEMBER 1995
TOTAL ARREARS	\$7,444.05

PROPERTY ADDRESS	63 1/2 FULLERTON AVENUE
SERIAL NUMBER	25 18 030 237 06060
BRIEF LEGAL DESCRIPTION	PLAN 367, PT LOTS 15 - 19
DATE OF REGISTRATION	14 DECEMBER 1994
INST # OF TAX ARREARS CERTIFICATE	VM200978
REDEMPTION DATE	14 DECEMBER 1995
TOTAL ARREARS	\$8,447.38

PROPERTY ADDRESS	65 FULLERTON AVENUE
SERIAL NUMBER	25 18 030 237 06090
BRIEF LEGAL DESCRIPTION	PLAN 367, PT LOT 20
DATE OF REGISTRATION	14 DECEMBER 1994
INST # OF TAX ARREARS CERTIFICATE	VM200979
REDEMPTION DATE	14 DECEMBER 1995
TOTAL ARREARS	\$4,084.38

PROPERTY ADDRESS	26 HOLTON AVENUE NORTH
SERIAL NUMBER	25 18 030 234 58640
BRIEF LEGAL DESCRIPTION	PLAN 473 PT LOT 11 & 12
DATE OF REGISTRATION	13 DECEMBER 1994
INST # OF TAX ARREARS CERTIFICATE	VM200908
REDEMPTION DATE	13 DECEMBER 1995
TOTAL ARREARS	\$9,157.76

PROPERTY ADDRESS	644 BARTON STREET EAST
SERIAL NUMBER	25 18 030 237 51510
BRIEF LEGAL DESCRIPTION	PLAN 257, PT LOT 2
DATE OF REGISTRATION	13 DECEMBER 1994
INST # OF TAX ARREARS CERTIFICATE	VM200863
REDEMPTION DATE	13 DECEMBER 1995
TOTAL ARREARS	\$69,047.21

SCHEDULE "A"
EXTENSION AGREEMENTS

PROPERTY ADDRESS	121 VICTORIA AVENUE NORTH
SERIAL NUMBER	25 18 030 212 56210
BRIEF LEGAL DESCRIPTION	PLAN 223, PT LOT 95
DATE OF REGISTRATION	14 DECEMBER 1994
INST # OF TAX ARREARS CERTIFICATE	VM200977
REDEMPTION DATE	14 DECEMBER 1995
TOTAL ARREARS	\$9,988.08

BY-LAW NO. 95 - 184

TO CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON AT ITS MEETING HELD ON THE 26TH DAY OF SEPTEMBER A.D., 1995.

WHEREAS by Section 9 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario, 1990, the powers of a municipal corporation are to be exercised by its Council;

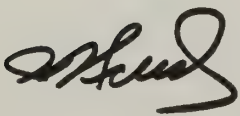
AND WHEREAS by Sub-section 1 of Section 101 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario 1990, the powers of every Council are to be exercised by by-law.

AND WHEREAS it is deemed expedient that the proceedings of the Council of The Corporation of the City of Hamilton at this meeting be confirmed and adopted by by-law.

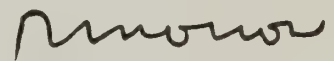
NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:-

1. The action of The Council of The Corporation of the City of Hamilton in respect to each recommendation contained in the Reports of the Committees and of the local Boards and Commissions and each motion and resolution passed and other action taken by the Council of The Corporation of the City of Hamilton at this meeting is hereby adopted and confirmed as if all such proceedings were expressly in this By-law.
2. The Mayor and the proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the action of the Council of The Corporation of the City of Hamilton referred to in the preceding section hereof.
3. The Mayor, or in the absence of the Mayor, the Acting Mayor, and the City Clerk, or in the absence of the City Clerk, the Acting City Clerk are authorized and directed to execute all documents necessary in that behalf and to affix thereto the seal of The Corporation of the City of Hamilton.

PASSED this 26th day of September A.D. 1995



CITY CLERK



MAYOR

CAY ON HBL A08
B91
1995

BILL NO. A - 58

BY-LAW NO. 95 - 185

TO AMEND BY-LAW NO. 89-72 TO REGULATE TRAFFIC

THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON ENACTS AS FOLLOWS:

TRAFFIC

1. **Schedule 26 (No Parking Areas)** of By-law 89-72 To Regulate Traffic passed on the 28th day of February 1989 is hereby amended by adding thereto the following items, namely:-

"Cartier	South and West	commencing at the west property line of No. 30 to a point 74 feet south of the south curb line of Cartier	Anytime
Edgemont	West	Cannon to Roxborough	Anytime
Roxborough	South	Glendale to west end	Anytime"

2. **Schedule 27 (Alternate Side Parking)** is hereby amended by deleting therefrom the following item, namely:-

"Edgemont Street North	East	West".
Main Street East to Cannon Street East		

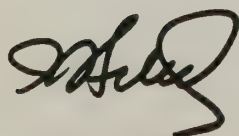
and by adding thereto the following items, namely:-

"Edgemont	East	West
Main to Roxborough		
Cochrane	East	West".
Lawrence to Greenhill		

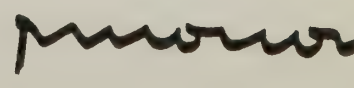
3. **Schedule 34 (Sticker Permit Parking)** is hereby amended by adding thereto the following items, namely:-

"Fairfield	West	commencing at a point 311 feet south of Britannia to a point 19 feet southerly therefrom	Anytime
Fairfield	East	commencing at a point 315 feet south of Britannia to a point 17 feet southerly therefrom	Anytime
Fairfield	East	commencing at a point 191 feet south of Vansitmart to a point 22 feet southerly therefrom	Anytime".

PASSED this 10th day of October A.D. 1995.


CITY CLERK




MAYOR

BY-LAW NO. 95 - 186

TO AMEND BY-LAW NO. 89-72 TO REGULATE TRAFFIC

THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON ENACTS AS FOLLOWS:

TRAFFIC

1. **Schedule 12 (One Way Streets)** of By-law 89-72 To Regulate Traffic passed on the 28th day of February 1989 is hereby amended by adding thereto the following item, namely:-

"Madison Southbound Cannon Wilson".

2. **Schedule 28 (Taxi Stands)** is hereby amended by adding thereto the following item, namely:-

"Hess	West	60 feet	82 feet north of York	7:00 am - 6:00 pm Monday to Friday"
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3. **Schedule 35 (Wheelchair Loading Zones)** is hereby amended by adding thereto the following item, namely:-

"Greencedar	South	20 feet	150 feet east of Amalfi	8:00 am - 5:00 pm".
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4. **Schedule 29 (No Stopping Areas)** is hereby amended by adding thereto the following item, namely:-

"Sterling East commencing at a point 96 feet north of Anytime".
King to a point 20 feet northerly therefrom

5. **Schedule 10 (Stops at Intersections)** is hereby amended by adding thereto the following items, namely:-

"Stewartdale Walter	Northbound Northbound and Southbound	Montrose Dunsmure".
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6. **Schedule 4 (Highways Designated for Use by Heavy Trucks)** is hereby amended by adding thereto the following item, namely:-

"Brant Birch Sherman Anytime".

PASSED this 10th day of October A.D. 1995.

Handwritten signature

Truett



THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 95- 187

To Authorize:

1. The construction as a local improvement an independent concrete curb on the south side of Glenfern Avenue from Mountain Avenue to approximately 32m easterly (flankage of 61 Mountain Avenue), (as described in Schedule "A") upon the petition of the abutting owners pursuant to section 11 of The Local Improvement Act;
2. The imposition of a special assessment upon the lands of the abutting owners in respect of the abutting owners' portion of the cost of the works;
3. The preparation of plans, specifications and reports and the supervision of construction of the said works by the Commissioner of Public Works and Traffic.

WHEREAS a petition for the works hereinafter described to be constructed as local improvements has been lodged with the Clerk pursuant to sections 7 and 11 of the Local Improvement Act, R.S.O. 1990, c.L26;

AND WHEREAS at least two thirds of the owners directly abutting the proposed works, representing at least one-half of the value of the lots liable to be specially assessed, have signed and lodged the said petition with the Clerk for presentation to Council for the City to undertake the said works as local improvements;

AND WHEREAS the City Clerk has, as required by the Local Improvement Act, issued his certificate that the said petition sufficiently meets the minimum requirements of the Local Improvement Act;

AND WHEREAS when Council is presented with a sufficiently signed petition for a work, The Local Improvement Act provides that Council may pass a by-law to undertake the works as a local improvement;

AND WHEREAS the Council of The Corporation of the City of Hamilton did decide (in adopting Item 3 of the 10th Report of the Transport & Environment Committee on August 29, 1995) to authorize preparation of this by-law because it is expedient to undertake the works hereinafter described as local improvements pursuant to the petition received from the abutting owners;

AND WHEREAS the Council of The Corporation of the City of Hamilton did adopt Item 14 of the 19th Report of the Finance & Administration Committee on August 29, 1995 to authorize that the Corporation's portion of the cost of the proposed works be paid out of current revenues;

AND WHEREAS the Council has obtained reports, estimates and statements required for the undertaking of the said works;

AND WHEREAS the Council of The Corporation of the City of Hamilton intends to raise the Corporation's portion of the cost of the works out of its current revenues and, pending payment in full by the abutting owners of the special assessment provided for below, to finance the abutting owners' portion of the costs by borrowing such funds, through the Region's issuance of debentures;

AND WHEREAS the Regional Municipalities Act, (R.S.O. 1990, c.R.8,sec.11) provides that "no area municipality has power to issue debentures", and that Regional Council may borrow money for the purposes of any area municipality;

AND WHEREAS the Ontario Municipal Board Act, (R.S.O.1990,c.O.28,sec.65), states that a municipality shall not authorize any work the cost of which is to be raised in a subsequent year or years until the approval of the Board has first been obtained.

AND WHEREAS the Local Improvement Act (sec.53(7)) states that the amount of monies borrowed to respect of the abutting owners' portion of the cost of the works "...shall not be deemed to be part of the existing debenture debt of the Corporation within the meaning of the provisions of the Municipal Act limiting the borrowing powers of the municipality";

AND WHEREAS Ontario Regulation 710/92 prescribed pursuant to the Municipal Act, (R.S.O.1990,c.M.45), establishes a limit for the City of Hamilton's debt obligations which do not require approval of the Ontario Municipal Board;

AND WHEREAS the financial commitments, liabilities and debts of the local improvements works listed herein, being financed by debentures to be issued by the Region on behalf of the City, together with the City of Hamilton's other financial obligations and debts, do not exceed the City's maximum permitted debt and financial obligation limit prescribed by Ontario Regulation 710/92 and therefore, approval of the Ontario Municipal Board to issuance of debentures by the Region hereinafter described is not required;

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The construction of the following described works may be proceeded with under The Local Improvement Act, at an estimated cost not to exceed \$2,900.00.

The construction of an independent concrete curb on the south side of Glenfern Avenue from Mountain Avenue to approximately 32m easterly (flankage of 61 Mountain Avenue) at the cost not exceeding those set out below:

City's portion of the cost	\$2,263.00
Owners' portion of the cost	<u>637.00</u>
Total Estimated cost of the works	<u>\$2,900.00</u>
Estimated Cost per metre frontage payable by the abutting owners in Fifteen (15) annual instalments	\$ 72.00

2. The portion of the estimated costs of the said works in the amount of \$637.00 shall be borne by the owners of the lands abutting directly on the works and the said estimated cost per metre shall be rated and specially assessed upon the lots abutting directly on the works, according to the extent of their respective frontages therein, by an equal special rate per metre of such frontage payable in annual instalments until fully paid.

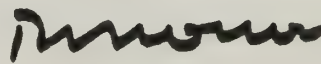
3. Pending payment of the abutting owners' portion of the costs referred to in Section 2, the said portion shall be financed by the issue of debentures (subject to the terms listed below) by The Regional Municipality of Hamilton-Wentworth on behalf of the City of Hamilton;
 - (a) to the extent sufficient to provide an amount not exceeding \$637.00, and,
 - (b) repayable over a term not exceeding twenty (20) years, chargeable to The Corporation of the City of Hamilton.
4. The Commissioner of Public Works and Traffic is hereby authorized to:
 - (a) prepare all necessary plans, specifications and reports required for the construction of the works; and,
 - (b) supervise construction of the works.
5. The Mayor and City Clerk are hereby authorized to execute, on behalf of The Corporation of the City, all contracts necessary for the construction of the works.

PASSED this 10th day of October, A.D. 1995.



CITY CLERK

(1995) 10 R.T.E.C.3, August 29
(1995) 19 R.F.A.C.14, August 29



MAYOR

SCHEDULE "A"

The construction of an independent concrete curb on the south side of Glenfern Avenue from Mountain Avenue to approximately 32m easterly (flankage of 61 Mountain Avenue) at the costs not exceeding those set out below:

City's Share	\$2,263.00
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Owners' Share	<u>637.00</u>
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TOTAL ESTIMATED COST	<u>\$2,900.00</u>
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Estimated Cost per metre frontage	\$72.00
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Fifteen (15) annual instalments

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 95- 188

TO INCORPORATE CITY LAND
DESIGNATED AS PART 1, PLAN 62R-13532
INTO BORDEAUX COURT

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 297(1) of The Municipal Act, R.S.O. 1990, Chapter M.45 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it necessary to incorporate a portion of the highway known as Bordeaux Court within its limits, the land described below;

AND WHEREAS the said lands are owned by The Corporation of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The following lands are hereby established and laid out as a public highway to form part of Bordeaux Court.

Part Block 16, Plan 62M-664, designated as Part 1, on Plan 62R-13532.

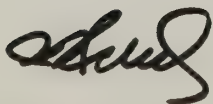
City of Hamilton

Regional Municipality of Hamilton-Wentworth

2. The Commissioner of Transportation/Environmental Services or his duly authorized agent is hereby authorized to open as public highway the said lands.

3. This by-law comes into force and takes effect on the date of its registration in the Land Registry Office (No. 62).

PASSED this 10th day of October A.D. 1995



City Clerk



Mayor

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 95- 189

TO INCORPORATE CITY LAND
DESIGNATED AS BLOCK 69, PLAN 62M-747
INTO UPPER PARADISE ROAD

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 297(1) of The Municipal Act, R.S.O. 1990, Chapter M.45 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it necessary to incorporate a portion of the highway known as Upper Paradise Road within its limits, the land described below;

AND WHEREAS the said lands are owned by The Corporation of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The following lands are hereby established and laid out as a public highway to form part of Upper Paradise Road.

All Block 69, Plan 62M-747.

City of Hamilton

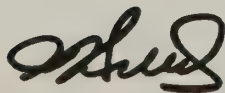
Regional Municipality of Hamilton-Wentworth

2. The Commissioner of Transportation/Environmental Services or his duly authorized agent is hereby authorized to open as public highway the said lands.

3. This by-law comes into force and takes effect on the date of its registration in the Land Registry Office (No. 62).

4. By-Law 95-153 is hereby rescinded.

PASSED this 10th day of October A.D. 1995



City Clerk



Mayor

BY-LAW NO. 95 - 190

TO AMEND BY-LAW NO. 89-72 TO REGULATE TRAFFIC

THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON ENACTS AS FOLLOWS:

TRAFFIC

1. **Schedule 34 (Permit Parking)** of By-law 89-72 To Regulate Traffic passed on the 28th day of February 1989 is hereby amended by adding thereto the following item, namely:-

"Alanson	South	commencing at a point 95 feet west of the west curb line of Erie Avenue to a point 18 feet westerly	Anytime".
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2. **Schedule 26 (No Parking Areas)** is hereby amended by adding thereto the following item, namely:-

"Highridge	North & West	commencing at the north property line of 238 Highridge and extending to a point 65 feet west of the west curb line of Highridge	Anytime".
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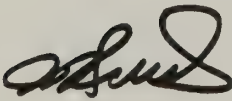
and by deleting therefrom the following item, namely:-

"Highridge	North & West	north property line of No. 238 Highridge to a point 40 feet east of the west property line of No. 238 Highridge	Anytime".
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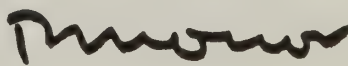
3. **Schedule 25 (Parking Time Limits)** is hereby amended by adding thereto the following items, namely:-

"Deschene	East	commencing at Hester and extending to the north property line of 61 Hester	8:00 am - 5:00 pm Monday - Friday
Deschene	West	commencing at Hester and extending to the north property line of 52 Hester	8:00 am - 5:00 pm Monday to Friday".

PASSED this 10th day of October A.D. 1995.



CITY CLERK



MAYOR

The Corporation of the City of Hamilton

BY-LAW NO. 95- 191

To Adopt:

Official Plan Amendment No. 131

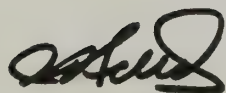
Respecting:

**LANDS LOCATED AT MUNICIPAL NO. 121 AUGUSTA STREET
WITHIN THE CORKTOWN NEIGHBOURHOOD**

The Council of The Corporation of the City of Hamilton enacts as follows:

1. Amendment No. 131 to the Official Plan of the Hamilton Planning Area consisting of Schedule 1, hereto annexed and forming part of this by-law, is hereby adopted.
2. It is hereby authorized and directed that such approval of the Official Plan Amendment referred to in section 1 above, as may be requisite, be obtained and for the doing of all things for the purpose thereof.

PASSED this 10th day of October A.D. 1995



CITY CLERK



MAYOR

(1995) 17 R.P.D.C. 4, August 29
Community Adolescent Network of Hamilton, Owner
ZAC-95-20

Amendment No. 131

to the

City of Hamilton Official Plan

The following text, together with Schedule B-1, attached hereto, constitute Official Plan Amendment No. 131.

Purpose:

The purpose of this Amendment is to establish a "Special Policy Area" within the "Residential" designation to permit general office uses within the existing structure.

Location:

The lands affected by this Amendment are for the property known municipally as No. 121 Augusta Street, within the Corktown Neighbourhood.

Basis:

The basis for permitting the proposal, general office uses within the existing structure, is as follows:

- 1) it is an adaptive re-use of an existing older industrial building which will improve its appearance within the neighbourhood;
- 2) the proposed use would be more compatible with the existing residential neighbourhood than the established non-conforming storage warehouse; and,
- 3) the change of use within the existing structure will not prejudice future development of the lands in accordance with the approved Corktown Neighbourhood Plan.

Actual Changes:

1. The following new policy be added to Subsection A.2.9.3 - Other Policy Areas as Policy A.2.9.3.64:

"In addition to the permitted uses set out in Subsection A.2.1 - Residential Uses, for those lands shown on Schedule "B-1" as SPECIAL POLICY AREA 69, and located at 121 Augusta Street, general office uses only within the existing building will be permitted."

2. The following be added to Schedule "B-1" - Other Special Policy Areas:

- Special Policy Area 69; and;
- "Area 69 refer to Policy A.2.9.3.64" in the legend, as shown on the attached Schedule "B-1" of this Amendment.

Implementation:

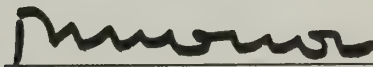
A Zoning By-law amendment will give effect to the intended use on the subject lands.

This is Schedule "1" to By-law No. 95- 191 , passed on the 10th day of October , 1995.

**The Corporation of the
City of Hamilton**



City Clerk



Mayor

MLT/



The Corporation of the City of Hamilton

BY-LAW NO. 95- 192

To Amend:

Zoning By-law No. 6593

Respecting:

**LAND LOCATED AT THE REAR OF MUNICIPAL NO.
914 UPPER JAMES STREET FRONTING ONTO CALEDON AVENUE**

WHEREAS it is intended to change the zoning of the land hereinafter referred to and to establish a special requirement under section 19B of By-law No. 6593 passed on the 25th day of July 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. W-9 of the District Maps, appended to and forming part of By-law No. 6593, is amended,

- (a) by changing from "C" (Urban Protected Residential, etc.) District to "RT-30" (Street-Townhouse) District,

the land, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".

2. The "RT-30" (Street-Townhouse) District provisions, as contained in Section 10F of Zoning By-law No. 6953, applicable to the land referred to in section 1, are amended to the extent only of the special requirement that,

- (a) notwithstanding Section 10F.(4)(c) of By-law No. 6593, a side yard of a width of not less than 1.2 m shall be provided and maintained along the entire southerly lot line.

3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "RT-30" District provisions, subject to the special requirement referred to in section 2.

4. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1344.

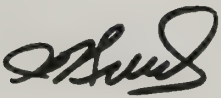
5. Sheet No. W-9 of the District Maps is amended by marking the land referred to in section 1 of this by-law, S-1344.

6. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

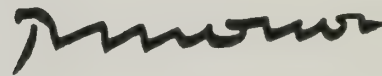
PASSED this 10th day of

October

A.D. 1995



CITY CLERK

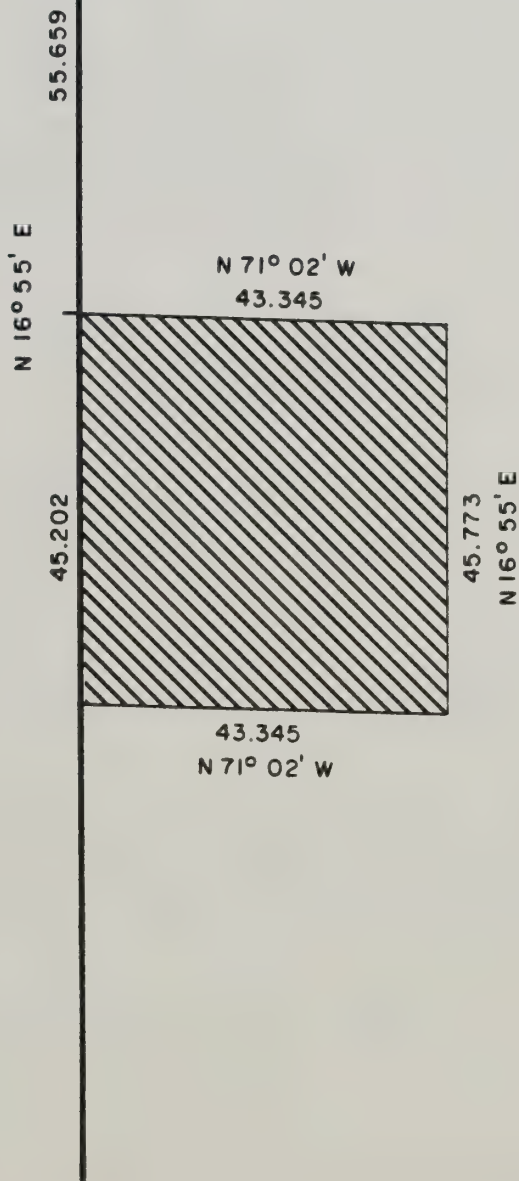


MAYOR

(1995) 17 R.P.D.C. 3, August 29
(1995) 19 R.P.D.C. , October 10
Madan Gopal Sharma, Owner
ZAC-95-17

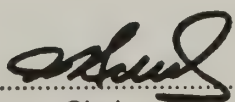
LOTUS AVENUE

CALEDON AVENUE



NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 95-¹⁹²
Passed the ..10th. day ofOctober..... , 1995.


Clerk


Mayor

City of Hamilton

Schedule A

Map Forming Part of
By-Law No. 95-¹⁹²
to Amend By-Law No. 6593

Planning and Development Department

Legend

Change in zoning from:



"C" (Urban Protected Residential,
etc.) District to "RT-30" (Street -
Townhouse) District, modified.

North



Scale
Not to Scale

Date
SEPTEMBER 1995

Reference File No.
ZAC-95-17

Drawn By
Z.K.

THE CORPORATION OF THE CITY OF HAMILTON**BY-LAW NO.95- 193****TO AUTHORIZE AN EXTENSION AGREEMENT****FOR PAYMENT OF REALTY TAX ARREARS**

WHEREAS the Municipal Tax Sales Act, R.S.O. 1990, c.M.60, (hereinafter referred to as the "Act"), states that the Council of a municipality may, by by-law, authorize an Extension Agreement with the owner of land in arrears of realty taxes in excess of three (3) years after the registration of a Tax Arrears Certificate and before the expiry of the one year redemption period;

AND WHEREAS the Municipal Tax Sales Act (section 8) states that the said Extension Agreement may extend the period of time, upon the terms specified therein, within which the Cancellation Price is to be paid;

AND WHEREAS, pursuant to the Municipal Tax Sales Act, the Treasurer did register a Tax Arrears Certificate indicating arrears of realty taxes in excess of three (3) years on the lands described in Schedule "A" annexed hereto,

AND WHEREAS, the said land is recorded by The Corporation of the City of Hamilton under the specific Tax Roll Serial Nos. indicated in Schedule "A" annexed hereto.

AND WHEREAS, The Owners of the lands described in Schedule "A" have requested that the City exercise its discretion to pass a bylaw to authorize an Extension Agreement to extend the period of time in which the Cancellation Price may be paid.

AND WHEREAS the one year period within which this by-law may be enacted will therefore expire on the days described as the redemption date of Schedule "A" attached hereto.

NOW THEREFORE the Council of the Corporation of the City of Hamilton enacts as follows:

1. (a) The time open for acceptance and the permitted payments of the Cancellation Price beyond the expiry of the said one year redemption period as set out in Schedule "A" are hereby authorized to be extended pursuant to an Extension Agreement.

(b) The owner of the land described in Schedule "A" may, on or before the redemption date, enter into the Extension Agreement with The Corporation of the City of Hamilton, and the Mayor and City Clerk are hereby authorized to execute the Extension Agreement on behalf of the City.
2. As provided in the Municipal Tax Sales Act, notwithstanding any other provision of this Extension Agreement, it is understood and agreed that while the Extension Agreement remains a subsisting agreement in good standing:

(a) that the Extension Agreement does not reduce the amount of the Cancellation Price.

(b) that the Extension Agreement does not prohibit any person from paying the Cancellation Price at any time.

(c) that any person may pay the Cancellation Price at any time.

(d) that the Extension Agreement terminates upon payment of the Cancellation Price by any person.

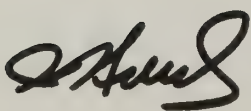
(e) that the Extension Agreement shall cease to be considered a subsisting Extension Agreement for purposes of section 9(2) of the Act, when and under what conditions set out in the Extension Agreement.

3. As also provided in the Municipal Tax Sales Act,

(a) while such Extension Agreement is in good standing, the period of such time shall not be counted in calculating the time within which the Cancellation Price may be paid.

(b) upon default by owner in complying with the Extension Agreement or any term thereof, the Extension Agreement shall cease and, (unless there remains time within which the Cancellation Price may be paid and is paid), the land shall be offered for sale by the Treasurer.

PASSED this 10th **day of** October **1995, A.D.,**



CITY CLERK



MAYOR

SCHEDULE "A" to By-law 95-193
EXTENSION AGREEMENTS

A)	PROPERTY ADDRESS	386 BARTON EAST
	SERIAL NUMBER	03 02150 1030
	BRIEF LEGAL DESCRIPTION	PLAN 234 PART LOT 4, RP62R2189 PART 1
	DATE OF REGISTRATION	AUGUST 29, 1995
	INST # OF TAX ARREARS CERTIFICATE	VM216214
	REDEMPTION DATE	AUGUST 29, 1996
	TOTAL ARREARS	\$15,963.57
B)	PROPERTY ADDRESS	178 BARONS NORTH
	SERIAL NUMBER	04 03320 1930
	BRIEF LEGAL DESCRIPTION	PLAN 613 LOT 194
	DATE OF REGISTRATION	SEPTEMBER 12, 1995
	INST # OF TAX ARREARS CERTIFICATE	VM217189
	REDEMPTION DATE	SEPTEMBER 12, 1996
	TOTAL ARREARS	\$13,717.40

The Corporation of the City of Hamilton

BY-LAW NO. 95- 194

To Amend

By-law No. 94-095

Respecting

1994 DEBENTURE PROJECTS AND AMOUNTS

WHEREAS By-law No. 94-095 was enacted on May 31, 1994 and included the Riverdale Recreation Centre Design as a project;

AND WHEREAS City Council, on July 11, 1995, in adopting Item No. 16 of the 18th Report of the Finance and Administration Committee authorized an amendment to the 1994 Debenture Projects to change the Riverdale Recreation Centre design costs and to include the acquisition cost of St. Agnes Park;

NOW THEREFORE the Council of the Corporation of the City of Hamilton enacts as follows:

1. Paragraph 12 of Schedule "A" of By-law No. 94-095 is amended by removing paragraph 12 and replacing it with the following:

<u>Project</u>	<u>Gross Cost</u>	<u>Receipts & Subsidies</u>	<u>Debenture Amount</u>	<u>Term of Debenture</u>
12) Riverdale Recreation Centre - Design Etc.	\$ 92,911.84	--	\$ 92,911.84	20 years

2. Schedule "A" of By-law No. 94-095 is further amended by adding the following:

<u>Project</u>	<u>Gross Cost</u>	<u>Receipts & Subsidies</u>	<u>Debenture Amount</u>	<u>Term of Debenture</u>
20) Acquisition of 141 Vittorito Avenue (St. Agnes Park)	\$407,088.16	--	\$407,088.16	20 years

PASSED this 10th day of October, 1995.



CITY CLERK




MAYOR

The Corporation of the City of Hamilton

BY-LAW NO. 95- 195

To Amend:

Licensing By-law No. 95-173

Respecting:

ADULT VIDEO STORES

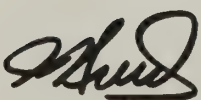
WHEREAS BY-LAW 95-173 was recently enacted, which by-law was intended to repeal and replace BY-LAW 93-045 pursuant to the approval of Council of Item 21 of the 18th Report of the Finance and Administration Committee, adopted by Council on July 11, 1995;

AND WHEREAS through typographical error BY-LAW 95-173 referred to "BY-LAW 93-069" instead of BY-LAW 93-045, and Council directs that corrections be made;

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The references to "93-069" in the recitals and in subsection 29(3) of By-law 95-173 are repealed and replaced with "93-045".
2. By-law No. 93-069 as amended, as it existed on August 29, 1995, is confirmed not to have been repealed and remains in full force and effect.
3. In all other respects By-law No. 95-173 as amended, is hereby confirmed without change.

PASSED this *10th* day of *October* A.D. 1995.



City Clerk



Mayor

BY-LAW NO. 95 - 196

**TO CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF
THE CITY OF HAMILTON AT ITS MEETING HELD ON THE 10TH DAY OF
OCTOBER A.D., 1995.**

WHEREAS by Section 9 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario, 1990, the powers of a municipal corporation are to be exercised by its Council;

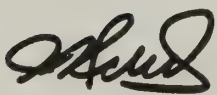
AND WHEREAS by Sub-section 1 of Section 101 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario 1990, the powers of every Council are to be exercised by by-law.

AND WHEREAS it is deemed expedient that the proceedings of the Council of The Corporation of the City of Hamilton at this meeting be confirmed and adopted by by-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:-

1. The action of The Council of The Corporation of the City of Hamilton in respect to each recommendation contained in the Reports of the Committees and of the local Boards and Commissions and each motion and resolution passed and other action taken by the Council of The Corporation of the City of Hamilton at this meeting is hereby adopted and confirmed as if all such proceedings were expressly in this By-law.
2. The Mayor and the proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the action of the Council of The Corporation of the City of Hamilton referred to in the preceding section hereof.
3. The Mayor, or in the absence of the Mayor, the Acting Mayor, and the City Clerk, or in the absence of the City Clerk, the Acting City Clerk are authorized and directed to execute all documents necessary in that behalf and to affix thereto the seal of The Corporation of the City of Hamilton.

PASSED this 10th day of October A.D. 1995



CITY CLERK



MAYOR

The Corporation of the City of Hamilton

BY-LAW NO. 95-197

To Amend:

Adult Entertainment Parlours By-law No. 79-144

Respecting:

LAP DANCING

WHEREAS adult entertainment parlours are licensed, regulated and governed in By-law No. 79-144 as amended;

AND WHEREAS the Council of The Corporation of the City of Hamilton, in adopting Section 7 of the 22nd Report of the Finance and Administration Committee, at its meeting held on the 26th day of September, 1995, directed that By-law No. 79-144 be further amended out of concern for the health and safety of attendants and patrons at adult entertainment parlours, to provide for the banning of touching between attendants and other persons in an adult entertainment parlour, the banning of advertising of lap dancing, and the posting of a sign;

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Licensing By-law No. 79-144, be further amended by adding the sign as "Form 6", which is attached to and forms a part of this by-law.
2. Schedule 1.01 to By-law 79-144, be further amended by adding the following sections under Part 8 (General Requirements), after section 39:
 - "39a. The owner or operator of an Adult Entertainment Parlour shall display the sign attached as Form 6, which is included in and forms a part of this by-law, within the licensed premises, in an area accessible and visible to the public, to inform the patrons.
 - 39b. The owner or operator of an Adult Entertainment Parlour shall not use signs or other advertisements promoting the business, which contain the words "lap dancing" or other similar or synonymous words or phrases.
 - 39c. No person shall, being licensed as an owner or operator of an Adult Entertainment Parlour, permit in the parlour, an attendant while providing services as an attendant, to have physical contact with another person's body, or to touch or be touched by another person.
 - 39d. No attendant shall, during the provision of services as an attendant within an Adult Entertainment Parlour, touch or have physical contact with another person."
3. In all other respects By-law No. 79-144 as amended, is hereby confirmed without change.

PASSED this 31st day of October A.D. 1995.

A. B. Macdonald

ACTING CITY CLERK



Christy Agnew
ACTING MAYOR

**NOTICE TO ALL ADULT ENTERTAINMENT PARLOUR
ATTENDANTS & CUSTOMERS**

It has been determined by the Medical Officer of Health that Lap Dancing or physical contact between customers and attendants can be a health hazard because of the risk of transmitting infectious diseases. Touching or physical contact between customers and attendants is not permitted.

Schedule 1.01 of City of Hamilton Adult Entertainment Parlour By-law 79-144 prohibits an attendant to touch or have physical contact with another person's body. Upon conviction under the by-law, the penalties provided include a maximum fine of \$25,000, or imprisonment for a term not exceeding one year, or both.

Section 265 of the Criminal Code provides, in part, that a person commits an assault "when he (customer), without the consent of another person (performer), applies force intentionally to that other person, directly or indirectly".

Section 266 of the Criminal Code provides that everyone who commits an assault is guilty of:

- (a) an indictable offence and is liable to imprisonment for a term not exceeding five years; or**
- (b) an offence punishable on summary condition.**

Section 167 of the Criminal Code provides, in part, that it is an offence to present, give or allow an immoral, indecent or obscene performance.

Section 169 of the Criminal Code provides that everyone who commits an offence under Section 167 is guilty of:

- (a) an indictable offence and is liable to imprisonment for a term not exceeding two years; or**
- (b) an offence punishable on summary conviction.**

To Register Complaints please contact the Licensing Division, City Clerk's Department at (905) 546-2349.

**J.J. Schatz
City Clerk
Hamilton, Ontario**

**FORM 6
November 1, 1995**

BY-LAW NO. 95 - 198

**TO CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF
THE CITY OF HAMILTON AT ITS MEETING HELD ON THE 31ST DAY OF
OCTOBER A.D., 1995.**

WHEREAS by Section 9 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario, 1990, the powers of a municipal corporation are to be exercised by its Council;

AND WHEREAS by Sub-section 1 of Section 101 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario 1990, the powers of every Council are to be exercised by by-law.

AND WHEREAS it is deemed expedient that the proceedings of the Council of The Corporation of the City of Hamilton at this meeting be confirmed and adopted by by-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:-

1. The action of The Council of The Corporation of the City of Hamilton in respect to each recommendation contained in the Reports of the Committees and of the local Boards and Commissions and each motion and resolution passed and other action taken by the Council of The Corporation of the City of Hamilton at this meeting is hereby adopted and confirmed as if all such proceedings were expressly in this By-law.
2. The Mayor and the proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the action of the Council of The Corporation of the City of Hamilton referred to in the preceding section hereof.
3. The Mayor, or in the absence of the Mayor, the Acting Mayor, and the City Clerk, or in the absence of the City Clerk, the Acting City Clerk are authorized and directed to execute all documents necessary in that behalf and to affix thereto the seal of The Corporation of the City of Hamilton.

PASSED this 31st day of October A.D. 1995

A. E. McLeod

ACTING CITY CLERK

W. H. G. G. G.
ACTING MAYOR



CAY ON HBL A08

B91

1995

Bill No. D-72

BY-LAW NO. 95 - 199

TO CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON AT ITS MEETING HELD ON THE 2ND DAY OF NOVEMBER, A.D., 1995.

WHEREAS by Section 9 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario, 1990, the powers of a municipal corporation are to be exercised by its Council;

AND WHEREAS by Sub-section 1 of Section 101 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario 1990, the powers of every Council are to be exercised by by-law.

AND WHEREAS it is deemed expedient that the proceedings of the Council of The Corporation of the City of Hamilton at this meeting be confirmed and adopted by by-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:-

1. The action of The Council of The Corporation of the City of Hamilton in respect to each recommendation contained in the Reports of the Committees and of the local Boards and Commissions and each motion and resolution passed and other action taken by the Council of The Corporation of the City of Hamilton at this meeting is hereby adopted and confirmed as if all such proceedings were expressly in this By-law.
2. The Mayor and the proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the action of the Council of The Corporation of the City of Hamilton referred to in the preceding section hereof.
3. The Mayor, or in the absence of the Mayor, the Acting Mayor, and the City Clerk, or in the absence of the City Clerk, the Acting City Clerk are authorized and directed to execute all documents necessary in that behalf and to affix thereto the seal of The Corporation of the City of Hamilton.

PASSED this 2ND day of NOVEMBER A.D. 1995

A. J. McDowell

ACTING CITY CLERK

Mary Kiss

ACTING MAYOR



BY-LAW NO. 95 - 200

TO AMEND BY-LAW NO. 89-72 TO REGULATE TRAFFIC

THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON ENACTS AS FOLLOWS:

TRAFFIC

1. **Schedule 10 (Stops at Intersections)** of By-law 89-72 To Regulate Traffic passed on the 28th day of February 1989 is hereby amended by adding thereto the following items, namely:-

"Young	Eastbound and Westbound	Catharine
Holly	Northbound and Southbound	McAnulty
Jackson	Eastbound and Westbound	Hughson
Locheed	Northbound and Southbound	Racalmuto
Corsica	Southbound	Bonaparte
Bourbon	Eastbound	Brigade".

2. **Schedule 31 (School Bus Loading Zones)** is hereby amended by deleting therefrom the following items, namely:-

"Thorner	South	120 feet	Commencing at a point 84 feet west of Deerborn	7:00 a.m. - 6:00 p.m. Monday to Saturday
Rifle Range	East	36 feet	Commencing at a point 333 feet south of Whitney to a point 36 feet southerly therefrom	7:00 a.m. - 6:00 p.m. Monday to Saturday".

and by adding thereto the following items, namely:-

"Thorner	South	120 feet	Commencing at a point 85 feet east of the east curb line of Bishopsgate	7:00 a.m. - 6:00 p.m. Monday to Saturday
High	East	52 feet	Commencing at a point 65 feet north of Sherwood Rise	11:00 a.m. - 2:00 p.m. Monday to Friday
Rifle Range	East	110 feet	Commencing at a point 296 feet south of Whitney	7:00 a.m. - 6:00 p.m. Monday to Saturday".

3. **Schedule 35 (Wheelchair Loading Zones)** is hereby amended by adding thereto the following item, namely:-

"Rifle Range	East	30 feet	Commencing at a point 266 feet south of Whitney	7:00 a.m. - 6:00 p.m. Monday to Saturday".
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BY-LAW NO. 95 - 201

TO AMEND BY-LAW NO. 89-72 TO REGULATE TRAFFIC

THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON ENACTS AS FOLLOWS:

TRAFFIC

1. **Schedule 25 (Parking Time Limits)** of By-law 89-72 To Regulate Traffic passed on the 28th day of February 1989 is hereby amended by adding thereto the following items, namely:-

"West 2nd	West	Fennell to Brantdale	1 hr	8:00 am - 5:00 pm	Mon - Fri
Broadway	Both	Whitney to Willowcrest	2 hr	9:00 am - 5:00 pm	Mon - Fri
Bold	North	Queen to Hess	1 hr	8:00 am - 6:00 pm	Mon - Fri
Tuckett	North	Locke to Pearl	3 hr	8:00 am - 8:00 am (24 hrs)	Mon - Sun
Herkimer	South	Commencing at a point 98 feet west of Park extending 215 feet westerly	3 hr	8:00 am - 6:00 pm	Mon - Sat".

2. **Schedule 26 (No Parking Areas)** is hereby amended by adding thereto the following items, namely:-

"Sanatorium	North	Commencing at Garth and extending to a point 106 feet easterly therefrom	Anytime
Lawnview	East	Lawnhurst to Limeridge	Anytime
Uplands	West	Commencing at Norwood and extending a a point 87 feet northerly therefrom	Anytime
Norwood	South	commencing at a point 149 feet west from Bond and extending to a point 72 feet westerly therefrom	Anytime
Robins	East	Barton to Newlands	Anytime
Herkimer	South	commencing 183 feet west of Park and extending to a point 62 feet westerly therefrom	Anytime".

3. **Schedule 27 (Alternate Side Parking)** is hereby amended by deleting therefrom the following item, namely:-

"Robins	East	West".
Roxborough Avenue to Barton Street East		

and by adding thereto the following item, namely:-

"Robins	East	West".
Roxborough Avenue to Newlands Avenue		

4. **Schedule 34 (Sticker Permit Parking)** is hereby amended by deleting therefrom the following items, namely:-

"Bristol	North	commencing at a point 26 feet east of Sanford to a point 29 feet easterly therefrom	Anytime
Monterey	South	from a point 60 feet east of Park Row to Province	Anytime".

Schedule 34 (Cont'd)

and by adding thereto the following items, namely:-

"Robins	West	Barton to the south property line of no. 121 Robins	Anytime
Monterey	South	commencing at a point 88 feet east of Park Row to Province	Anytime
Third	East	commencing at a point 96 feet north of Beach Boulevard and extending to a point 22 feet northerly therefrom	Anytime
Paling	East	commencing at a point 726 feet south of Barton and extending to a point 21 feet southerly therefrom	Anytime
Paling	West	commencing at a point 725 feet south of Barton and extending to a point 25 feet southerly therefrom	Anytime
Hunter	North	Poulette to Locke	Anytime".

5. **Schedule 37 (Snow Routes)** is hereby amended by deleting therefrom the following items, namely:-

"Aberdeen	Both	Queen	James
Angela	Both	West 31st	Upper Paradise
Argo	Both	San Remo	San Antonio
Beach	Both	Ottawa	Burlington
Benson	Both	Grenfell	Beach
Berko	Both	Upper Sherman	Folkestone
Blake	Both	Maplewood	Main
Brant	Both	Birch	Niagara
Catharine	Both	Charlton	Barton
Christie	Both	Kennedy	Malton
Division	Both	Harrison	Barton
Dock Service Rd.	Both	Ferguson	Guise
Eaglewood	Both	Eva	Eleanor
East 42nd	Both	Mohawk	Pemberton
Eleanor	Both	Stone Church	Eaglewood
Elora	Both	Upper Horning	Easterly End
Eva	Both	Rymal	Eaglewood
Ferguson	Both	King	Cannon
Ferguson	Both	Burlington	Dock Service Rd.
Ferrie	Both	Wellington	Victoria
Folkestone	Both	Berko	East Leg of Folkestone
Gailmont	Both	King	Orphir
Glover	Both	Rymal	South City Limits
Guise	Both	Dock Service Rd.	James
Haddon	Both	Main	King
Harmony	Both	Barton	Harrison
Harrison	Both	Harmony	Division
Kennedy	Both	Upper James	Christie
Macassa	Both	Upper Sherman	Upper Gage
Malton	Both	Christie	Upper James
Margaret	Both	End	End
Mary	Both	King	Barton
Orphir	Both	Pottruff	Rainbow
Parkdale	Both	King	Lawrence
Pottruff	Both	King	Orphir
Queensbury	Both	Queen Victoria	Upper Ottawa
Queen Victoria	Both	Redbury	Queensbury
Rainbow	Both	Orphir	Nash

Schedule 37 (Snow Routes) (Cont'd)

Redbury	Both	Upper Ottawa	Queen Victoria
Sherman	Both	Main	Cumberland
Upper Horning	Both	Mohawk	Upper Paradise
Upper Kenilworth	Both	Limeridge	South End
Warrington	Both	Lake	Westerly End
Wendover	Both	End	End
West 31st	Both	Scenic	Angela".

and by adding thereto the following items, namely:-

"Aberdeen	Both	Queen	Hess
Beach	Both	Ottawa	Grenfell
Sherman	Both	Main	Delaware".

6. **Schedule 23 (Hamilton Street Railway Bus Stops)** is hereby amended by adding to the **INBOUND COLUMN** the following item, namely:-

"Woodward, west side, 25 feet north of Melvin (N/S)"

and by deleting therefrom the following items, namely:-

"Osborne at Melvin
Talbot at Melvin
Melvin at Woodward".

7. **Schedule 23 (Hamilton Street Railway Bus Stops)** is hereby amended by adding to the **OUTBOUND COLUMN** the following item, namely:-

"MacNab (West Leg), east side, 18.6 meters south of King (N/S) (Recovery Point)".

and by deleting therefrom the following items, namely:-

"Osborne at Melvin (FS)
Talbot at Melvin
Melvin at Eastwood".

PASSED this 14th day of November A.D. 1995.



CITY CLERK



MAYOR

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAWNO. 95- 202

TO INCORPORATE CITY LAND
DESIGNATED AS BLOCKS 78 AND 80, PLAN 62M-780
INTO UPPER GAGE AVENUE

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 297(1) of The Municipal Act, R.S.O. 1990, Chapter M.45 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it necessary to incorporate a portion of the highway known as Upper Gage Avenue within its limits, the land described below;

AND WHEREAS the said lands are owned by The Corporation of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The following lands are hereby established and laid out as a public highway to form part of Upper Gage Avenue.

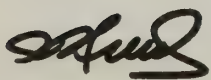
All of Blocks 78 and 80, Plan 62M-780.

City of Hamilton
Regional Municipality of Hamilton-Wentworth

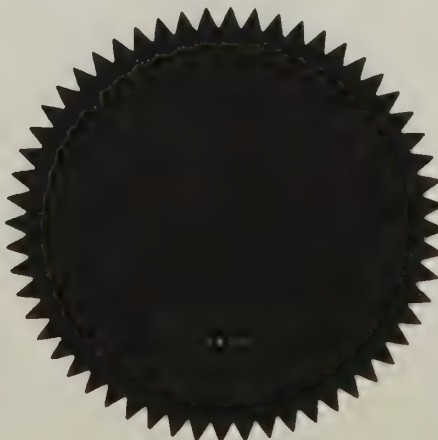
2. The Commissioner of Transportation/Environmental Services or his duly authorized agent is hereby authorized to open the said lands as a public highway.

3. This by-law comes into force and takes effect on the date of its registration in the Land Registry Office (No. 62).

PASSED this 14th day of November A.D. 1995



City Clerk



Mayor

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 95- 203

TO INCORPORATE CITY LAND
DESIGNATED AS PART 2, PLAN 62R-13544
INTO UPPER HORNING ROAD

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 297(1) of The Municipal Act, R.S.O. 1990, Chapter M.45 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it necessary to incorporate a portion of the highway known as Upper Horning Road within its limits, the land described below;

AND WHEREAS the said lands are owned by The Corporation of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The following lands are hereby established and laid out as a public highway to form part of Upper Horning Road.

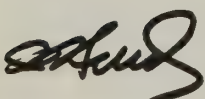
Part Lot 55, Concession 3, in the geographic township of Ancaster, designated as Part 2, on Plan 62R-13544.

City of Hamilton
Regional Municipality of Hamilton-Wentworth

2. The Commissioner of Transportation/Environmental Services or his duly authorized agent is hereby authorized to open the said lands as a public highway.

3. This by-law comes into force and takes effect on the date of its registration in the Land Registry Office (No. 62).

PASSED this 14th day of November A.D. 1995



City Clerk



Mayor

The Corporation of the City of Hamilton

By-law No. 95- 204

To Amend By-law No. 94-137

TO CLOSE A PORTION OF MEAD AVENUE FOR A TEMPORARY PERIOD

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 297 of the Municipal Act, Revised Statutes of Ontario, 1990, Chapter M.45, to establish and layout, widen, alter, diver, stop-up, lease, closed or sell any highway or part of a highway;

AND WHEREAS the Council of The Corporation of the City of Hamilton, in adopting Item 6 of the 9th Report of the Transport and Environment Committee on June 28, 1994, authorized that steps be taken in accordance with the Municipal Act to advertise Notice of the City's intention to close for a one year period a portion of Mead Avenue as described therein for the purpose of erecting thereon a vehicular barrier to prohibit vehicular through traffic during the one year period;

AND WHEREAS By-law No. 94-137 was enacted on August 30, 1994 to authorize the said temporary closing of a six foot wide portion of Mead Avenue to vehicular through traffic for one year from September 15, 1994, being the date of registration of the said by-law;

AND WHEREAS it is now intended to extend the trial period of the said temporary highway closure.

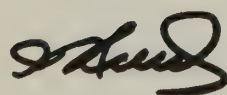
NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Section one of By-law No. 94-137 is hereby amended by deleting therefrom the phrase "one year" and substituting the phrase "fourteen months".
2. As provided for in By-law No. 94-137 the said closure as extended by this amending by-law, is limited to the surface of the said portion of Mead Avenue and does not include nor affect the below grade soil and freehold of the said portion of the highway, which shall remain an open highway for use by utilities located below grade.

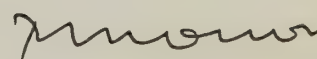
PASSED this 14th day of

November

A.D. 1995.



CITY CLERK



MAYOR

BY-LAW NO. 95 - 205

TO AMEND BY-LAW NO. 89-72 TO REGULATE TRAFFIC

THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON ENACTS AS FOLLOWS:

TRAFFIC

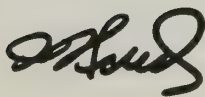
1. **Schedule 34 (Permit Parking)** of By-law 89-72 To Regulate Traffic passed on the 28th day of February 1989 is hereby amended by deleting therefrom the following item, namely:-

"Catharine	Both	Burlington to Brock	Anytime".
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and by adding thereto the following items, namely:-

"Catharine	West	Burlington to Brock	Anytime
Catharine	East	from 264 feet north of Burlington to Brock	Anytime".

PASSED this 14th day of November A.D. 1995.



CITY CLERK



MAYOR



The Corporation of the City of Hamilton

BY-LAW NO. 95- 206

To Amend

By-law No. 94-095

Respecting

1994 DEBENTURE PROJECT AND AMOUNT

WHEREAS By-law No. 94-095 was enacted on May 31, 1994 and includes the Crown Point East/McAnulty Neighbourhoods Project;

AND WHEREAS the Provincial grant has been cancelled and, therefore, the gross cost for this project has been reduced;

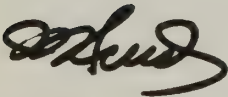
AND WHEREAS the Council of The Corporation of the City of Hamilton in adopting Section 7 of the 15th Report of the Planning and Development Committee on June 27, 1995 authorized this By-law;

NOW THEREFORE the Council of the Corporation of the City of Hamilton enacts as follows:

1. Paragraph 19 of Schedule "A" to By-law No. 94-095 is repealed and amended as follows:

<u>Project</u>	<u>Gross Cost</u>	<u>Federal & Provincial Subsidies</u>	<u>Debenture Amount</u>	<u>Term of Debenture</u>
4) Crown Point East/McAnulty - Phase I	\$400,000	\$0	\$400,000	20 years

PASSED this 14th day of November, 1995.



CITY CLERK





MAYOR

The Corporation of the City of Hamilton

BY-LAW NO. 95- 207

To Amend:

Zoning By-law No. 6593
As Amended by Zoning By-law No. 94-133

Respecting:

**LAND LOCATED AT THE NORTH-WEST CORNER OF GARTH STREET
AND RYMAL ROAD WEST**

WHEREAS the Council of The Corporation of the City of Hamilton passed Zoning By-law No. 6593 on the 25th day of July 1950, which by-law was approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS the Council of The Corporation of the City of Hamilton passed By-law No. 94-133 on the 26th day of July 1994 to change the zoning and establish special requirements under Section 19B of Zoning By-law No. 6593 for the "G-4" District, in respect of the above-captioned land, the extent and boundaries of which are shown on a plan thereto annexed as Schedule "A", which by-law came into force on the day it was passed in accordance with the Planning Act;

AND WHEREAS the Ontario Municipal Board by its Decision and Order (Files No. R940340; O940218; S950028), dated the 28th day of September 1995, directed that By-law No. 94-133 be amended as hereinafter provided;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982 and with the Official Plan as amended by Official Plan Amendment No. 124, proposed by the Council of The Corporation of the City of Hamilton as By-law No. 94-127, but not yet approved by The Regional Municipality of Hamilton-Wentworth in accordance with the provisions of Sections 4, 17 and 21 of the Planning Act, R.S.O. 1990, Chapter P.13.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. (a) Section 2 of By-law No. 94-133 is amended by deleting paragraph (d) and substituting the following therefor:

"(d) a minimum 3.0 m planting strip shall be provided and maintained along the entire southerly and easterly lot lines of Block 3 except for the area used for access driveways; and"

(b) Section 2 of the said by-law is amended by adding the following paragraph thereto:

"(e) a minimum 8.0 m planting strip shall be provided and maintained along the entire southerly lot line of Block 2 except for the area used for access driveways."

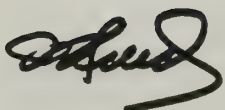
2. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "G-4" District provisions, subject to the special requirements referred to in section 2 of By-law No. 94-133 and section 1 of this by-law.

3. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1330a.

4. Sheet No. W-27D of the District Maps is amended by marking the lands referred to in section 1.(b) of By-law No. 94-133, S-1330a.

5. In all other respects, By-law No. 94-133 is hereby confirmed, unchanged.

PASSED this 14th day of November A.D. 1995



CITY CLERK




MAYOR

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO.95- 208

TO AUTHORIZE AN EXTENSION AGREEMENT

FOR PAYMENT OF REALTY TAX ARREARS

WHEREAS the Municipal Tax Sales Act, R.S.O. 1990, c.M.60, (hereinafter referred to as the "Act"), states that the Council of a municipality may, by by-law, authorize an Extension Agreement with the owner of land in arrears of realty taxes in excess of three (3) years after the registration of a Tax Arrears Certificate and before the expiry of the one year redemption period;

AND WHEREAS the Municipal Tax Sales Act (section 8) states that the said Extension Agreement may extend the period of time, upon the terms specified therein, within which the Cancellation Price is to be paid;

AND WHEREAS, pursuant to the Municipal Tax Sales Act, the Treasurer did register a Tax Arrears Certificate indicating arrears of realty taxes in excess of three (3) years on the lands described in Schedule "A" annexed hereto,

AND WHEREAS, the said land is recorded by The Corporation of the City of Hamilton under the specific Tax Roll Serial Nos. indicated in Schedule "A" annexed hereto.

AND WHEREAS, The Owners of the lands described in Schedule "A" have requested that the City exercise its discretion to pass a bylaw to authorize an Extension Agreement to extend the period of time in which the Cancellation Price may be paid.

AND WHEREAS the one year period within which this by-law may be enacted will therefore expire on the days described as the redemption date of Schedule "A" attached hereto.

NOW THEREFORE the Council of the Corporation of the City of Hamilton enacts as follows:

1. (a) The time open for acceptance and the permitted payments of the Cancellation Price beyond the expiry of the said one year redemption period as set out in Schedule "A" are hereby authorized to be extended pursuant to an Extension Agreement.

(b) The owner of the land described in Schedule "A" may, on or before the redemption date, enter into the Extension Agreement with The Corporation of the City of Hamilton, and the Mayor and City Clerk are hereby authorized to execute the Extension Agreement on behalf of the City.
2. As provided in the Municipal Tax Sales Act, notwithstanding any other provision of this Extension Agreement, it is understood and agreed that while the Extension Agreement remains a subsisting agreement in good standing:

- (a) that the Extension Agreement does not reduce the amount of the Cancellation Price.
 - (b) that the Extension Agreement does not prohibit any person from paying the Cancellation Price at any time.
 - (c) that any person may pay the Cancellation Price at any time.
 - (d) that the Extension Agreement terminates upon payment of the Cancellation Price by any person.
 - (e) that the Extension Agreement shall cease to be considered a subsisting Extension Agreement for purposes of section 9(2) of the Act, when and under what conditions set out in the Extension Agreement.
3. As also provided in the Municipal Tax Sales Act,
- (a) while such Extension Agreement is in good standing, the period of such time shall not be counted in calculating the time within which the Cancellation Price may be paid.
 - (b) upon default by owner in complying with the Extension Agreement or any term thereof, the Extension Agreement shall cease and, (unless there remains time within which the Cancellation Price may be paid and is paid), the land shall be offered for sale by the Treasurer.

PASSED this 14th Day of November 1995 A.D.



CITY CLERK



MAYOR

SCHEDULE "A" to By-law 95-208
EXTENSION AGREEMENTS

A)	PROPERTY ADDRESS	1605 KING STREET EAST
	SERIAL NUMBER	04 03040 1840
	BRIEF LEGAL DESCRIPTION	PLAN 546 LOT 90
	DATE OF REGISTRATION	OCTOBER 17, 1995
	INST # OF TAX ARREARS CERTIFICATE	VM219527
	REDEMPTION DATE	OCTOBER 17, 1996
	TOTAL ARREARS	\$9,995.66
B)	PROPERTY ADDRESS	131 GEORGE STREET
	SERIAL NUMBER	01 01020 0670
	BRIEF LEGAL DESCRIPTION	PLAN 1435 BLOCK 2 RANGE 1
		PART LOTS 3,4 & 6
	DATE OF REGISTRATION	SEPTEMBER 28, 1995
	INST # OF TAX ARREARS CERTIFICATE	VM218247
	REDEMPTION DATE	SEPTEMBER 28, 1996
	TOTAL ARREARS	\$19,915.02
C)	PROPERTY ADDRESS	37 KENILWORTH NORTH
	SERIAL NUMBER	04 03130 8310
	BRIEF LEGAL DESCRIPTION	PLAN 522 LOT 25
	DATE OF REGISTRATION	AUGUST 29, 1995
	INST # OF TAX ARREARS CERTIFICATE	VM216192
	REDEMPTION DATE	AUGUST 29, 1996
	TOTAL ARREARS	\$26,943.69

BY-LAW NO. 95 - 210

**TO CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF
THE CITY OF HAMILTON AT ITS MEETING HELD ON THE 14TH DAY OF
NOVEMBER A.D., 1995.**

WHEREAS by Section 9 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario, 1990, the powers of a municipal corporation are to be exercised by its Council;

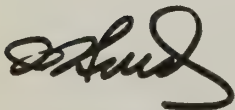
AND WHEREAS by Sub-section 1 of Section 101 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario 1990, the powers of every Council are to be exercised by by-law.

AND WHEREAS it is deemed expedient that the proceedings of the Council of The Corporation of the City of Hamilton at this meeting be confirmed and adopted by by-law.

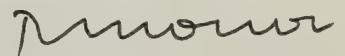
NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:-

1. The action of The Council of The Corporation of the City of Hamilton in respect to each recommendation contained in the Reports of the Committees and of the local Boards and Commissions and each motion and resolution passed and other action taken by the Council of The Corporation of the City of Hamilton at this meeting is hereby adopted and confirmed as if all such proceedings were expressly in this By-law.
2. The Mayor and the proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the action of the Council of The Corporation of the City of Hamilton referred to in the preceding section hereof.
3. The Mayor, or in the absence of the Mayor, the Acting Mayor, and the City Clerk, or in the absence of the City Clerk, the Acting City Clerk are authorized and directed to execute all documents necessary in that behalf and to affix thereto the seal of The Corporation of the City of Hamilton.

PASSED this 14th day of November A.D. 1995



CITY CLERK



MAYOR

CAY ON HBL 438
B91
1995

BILL NO. A - 70

BY-LAW NO. 95 - 211

TO AMEND BY-LAW NO. 89-72 TO REGULATE TRAFFIC

THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON ENACTS AS FOLLOWS:

TRAFFIC

1. **Schedule 26 (No Parking Areas)** of By-law 89-72 To Regulate Traffic passed on the 28th day of February 1989 is hereby amended by adding thereto the following item, namely:-

"Margate	North	commencing at a point 167 feet east of Princeton and extending to a point 34 feet easterly therefrom	Anytime."
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and by deleting therefrom the following item, namely:-

"Fullerton	East	from 122 ft. north of Barton to 54 ft. northerly	Anytime."
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2. **Schedule 25 (Parking Time Limits)** is hereby amended by adding thereto the following items, namely:-

"Leadale	Both	Stacey to southerly end	1hr	8 am - 4 pm	Mon - Fri
Arkell	South	Bond to Paisley	2hr	8 am - 6 pm	Mon - Fri."

3. **Schedule 34 (Sticker Permit Parking)** is hereby amended by adding thereto the following items, namely:-

"Mill	South	commencing at a point 121 feet west of the east end of Mill and extending to a point 15 feet westerly therefrom	Anytime
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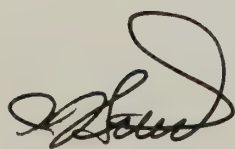
Case	South	commencing at a point 165 feet east of Sherman and extending to a point 23 feet easterly therefrom	Anytime
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Grosvenor	East	commencing at a point 270 feet south of Barton and extending to a point 24 feet southerly therefrom	Anytime
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Grosvenor	West	commencing at a point 283 feet south of Barton and extending to a point 16 feet southerly therefrom	Anytime
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MacNab	East	commencing at a point 70 feet north of Ferrie and extending to a point 20 feet northerly therefrom	Anytime."
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PASSED this 28th day of November A.D. 1995.



CITY CLERK



MAYOR

BY-LAW NO. 95 -212

TO AMEND BY-LAW NO. 89-72 TO REGULATE TRAFFIC

THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON ENACTS AS FOLLOWS:

TRAFFIC

1. **Schedule 10 (Stops at intersections)** of By-law 89-72 To Regulate Traffic passed on the 28th day of February 1989 is hereby amended by adding thereto the following item, namely:-

"Annapolis

Southbound

Beaverton."

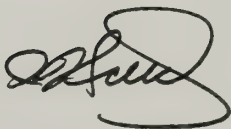
PASSED this

28th

day of

November

A.D. 1995.



CITY CLERK



MAYOR

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO.95-213

TO AUTHORIZE AN EXTENSION AGREEMENT

FOR PAYMENT OF REALTY TAX ARREARS

WHEREAS the Municipal Tax Sales Act, R.S.O. 1990, c.M.60, (hereinafter referred to as the "Act"), states that the Council of a municipality may, by by-law, authorize an Extension Agreement with the owner of land in arrears of realty taxes in excess of three (3) years after the registration of a Tax Arrears Certificate and before the expiry of the one year redemption period;

AND WHEREAS the Municipal Tax Sales Act (section 8) states that the said Extension Agreement may extend the period of time, upon the terms specified therein, within which the Cancellation Price is to be paid;

AND WHEREAS, pursuant to the Municipal Tax Sales Act, the Treasurer did register a Tax Arrears Certificate indicating arrears of realty taxes in excess of three (3) years on the lands described in Schedule "A" annexed hereto,

AND WHEREAS, the said land is recorded by The Corporation of the City of Hamilton under the specific Tax Roll Serial Nos. indicated in Schedule "A" annexed hereto.

AND WHEREAS, The Owners of the lands described in Schedule "A" have requested that the City exercise its discretion to pass a bylaw to authorize an Extension Agreement to extend the period of time in which the Cancellation Price may be paid.

AND WHEREAS the one year period within which this by-law may be enacted will therefore expire on the days described as the redemption date of Schedule "A" attached hereto.

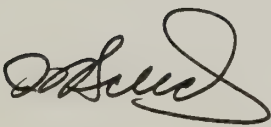
NOW THEREFORE the Council of the Corporation of the City of Hamilton enacts as follows:

1. (a) The time open for acceptance and the permitted payments of the Cancellation Price beyond the expiry of the said one year redemption period as set out in Schedule "A" are hereby authorized to be extended pursuant to an Extension Agreement.

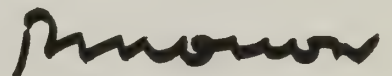
(b) The owner of the land described in Schedule "A" may, on or before the redemption date, enter into the Extension Agreement with The Corporation of the City of Hamilton, and the Mayor and City Clerk are hereby authorized to execute the Extension Agreement on behalf of the City.
2. As provided in the Municipal Tax Sales Act, notwithstanding any other provision of this Extension Agreement, it is understood and agreed that while the Extension Agreement remains a subsisting agreement in good standing:

- (a) that the Extension Agreement does not reduce the amount of the Cancellation Price.
 - (b) that the Extension Agreement does not prohibit any person from paying the Cancellation Price at any time.
 - (c) that any person may pay the Cancellation Price at any time.
 - (d) that the Extension Agreement terminates upon payment of the Cancellation Price by any person.
 - (e) that the Extension Agreement shall cease to be considered a subsisting Extension Agreement for purposes of section 9(2) of the Act, when and under what conditions set out in the Extension Agreement.
3. As also provided in the Municipal Tax Sales Act,
- (a) while such Extension Agreement is in good standing, the period of such time shall not be counted in calculating the time within which the Cancellation Price may be paid.
 - (b) upon default by owner in complying with the Extension Agreement or any term thereof, the Extension Agreement shall cease and, (unless there remains time within which the Cancellation Price may be paid and is paid), the land shall be offered for sale by the Treasurer.

PASSED this 28th day of November 1995, A.D.,



CITY CLERK



MAYOR

SCHEDULE "A"
EXTENSION AGREEMENTS

A)	PROPERTY ADDRESS	17 Delana Street S.
	SERIAL NUMBER	05 04130 0040
	BRIEF LEGAL DESCRIPTION	Plan 556 Lot 126
	DATE OF REGISTRATION	October 17, 1995
	INST # OF TAX ARREARS CERTIFICATE	VM219526
	REDEMPTION DATE	October 17, 1996
	TOTAL ARREARS	\$8,535.23
B)	PROPERTY ADDRESS	110 Hess Street S.
	SERIAL NUMBER	02 01310 0250
	BRIEF LEGAL DESCRIPTION	Survey GS Tiffany
		Part Lot 5 Part Lot 6
	DATE OF REGISTRATION	September 26, 1995
	INST # OF TAX ARREARS CERTIFICATE	VM218063
	REDEMPTION DATE	September 26, 1996
	TOTAL ARREARS	\$14,375.85

C44 ON HBL A08
B 91

Bill No. D-77

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 95 - 214

TO AUTHORIZE THE REPEAL OF BY-LAW NO. 9429

IN RESPECT OF THE EXPROPRIATION OF CERTAIN LANDS

WHEREAS by By-law 9429 entitled "A By-Law to Expropriate Certain Lands in the area bounded by The Queen Elizabeth Way, Grays Side Road, Queenston Road and No. 20 Highway in connection with Sewers and Watercourses" enacted on the 8th day of August, 1961, The Corporation of the City of Hamilton expropriated the parcels of land therein described; and

AND WHEREAS by By-Law No. 10044 entitled "A By-law to Amend By-law 9429 which expropriated certain lands in the (Stoney Creek Drainage) area bounded by the Queen Elizabeth Way, Grays Side Road, Queenston Road and No. 20 Highway in connection with Sewers and Watercourses" it was deemed expedient to release from expropriation three of the four parcels of land described in By-law 9429; and

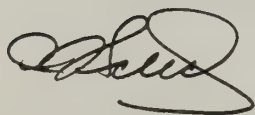
AND WHEREAS it is now deemed expedient to release the fourth and final parcel of land, described in Schedule "A" attached hereto, from expropriation.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

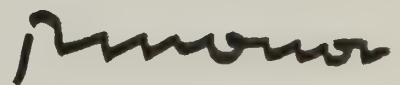
1. By-law 9429 is hereby repealed in its entirety; and
2. The City Solicitor is hereby authorized to register the herein by-law on title to the lands described in Schedule "A" attached hereto.

PASSED this 28th day of November

A.D. 1995



CITY CLERK



MAYOR

SCHEDULE "A"

ALL AND SINGULAR that certain parcel or tract of land and premises, situate, lying and being in the City of Hamilton, Regional Municipality of Hamilton-Wentworth, Province of Ontario and being composed of parts of Lots 24, Concession 1, Township of Saltfleet (now in the City of Hamilton) and which said parcel may be more particularly described as follows:

COMMENCING at a point in the southern limit of the Queen Elizabeth Way as shown on a plan prepared by the Department of Highways, Ontario and deposited in the Registry Office for the Registry Division of the County of Wentworth as Plan No. 180 Miscellaneous distant three hundred and thirty-four feet (334'0") measured easterly thereon from the eastern limit of Lake Avenue, (road allowance between Lots 24 and 25).

THENCE southerly parallel to the said eastern limit of Lake Avenue, nine hundred and fifty feet (950'0").

THENCE south-westerly in a straight line three hundred and fifty feet (350'0") more or less to a point in the said eastern limit of Lake Avenue distant therein one thousand and sixty feet (1,060'0") from the said southern limit of the Queen Elizabeth Way.

THENCE southerly along the said eastern limit of Lake Avenue two hundred and ninety feet (290'0") more or less to the northern limit of the lands of the Hydro Electric Power Commission of Ontario.

THENCE easterly along the said northern limit of the Hydro Electric Power Commission of Ontario lands to its intersection with the eastern limit of the water's edge of the Stoney Creek Pond, being the eastern limit of the lands secondly described in Instrument No. 48204 Saltfleet.

THENCE northerly along the water's edge of Stoney Creek Pond to the said southern limit of the Queen Elizabeth Way.

THENCE westerly along the said southern limit of the Queen Elizabeth Way five hundred and sixty-seven feet (567'0") more or less to the place of beginning.

As secondly described in Instrument No. 171666 HL

The Corporation of the City of Hamilton

BY-LAW NO. 95- 215

To Amend:

By-laws 93-069 and 80-259

Respecting:

FINES

WHEREAS various trades, calling businesses and occupations are licensed through By-law 93-069, and second level lodging houses are licensed through By-law 80-259;

AND WHEREAS the Municipal Act, R.S.O. 1990, c.M-45, section 329, has been amended to provide for an increase in the maximum fines for licensing by-laws, from \$5,000 for each offence as previously provided in the Provincial Offences Act, R.S.O. 1990, c.P-33;

AND WHEREAS the Council of The Corporation of the City of Hamilton, in adopting Section 20 of the 25th Report of the Finance and Administration Committee, at its meeting held on the 31st day of October, 1995, directed that the by-laws be further amended to provide for the increased fines;

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Licensing By-law No. 93-069 as amended, be further amended by repealing and replacing section 18 with the following:

"18. (1) Subject to (2), every person who contravenes this by-law, and every director or officer of a corporation who concurs in such contravention by the corporation, is guilty of an offence and on conviction is liable to a fine not exceeding \$25,000.00.

(2) Where a corporation is convicted of an offence under this by-law, the maximum penalty that may be imposed on the corporation is \$50,000.00 and not as provided in (1)."

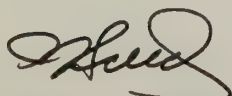
2. Licensing By-law No. 80-259 as amended, be further amended by repealing and replacing subsection 49(1) with the following:

"49 (1) Subject to (1a), every person who contravenes this by-law, and every director or officer of a corporation who concurs in such contravention by the corporation, is guilty of an offence and on conviction is liable to a fine not exceeding \$25,000.00.

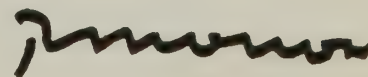
(1a) Where a corporation is convicted of an offence under this by-law, the maximum penalty that may be imposed on the corporation is \$50,000.00 and not as provided in (1)."

3. In all other respects By-law 93-069 and By-law 80-259, both as amended, are hereby confirmed without change.

PASSED this 28th day of November A.D. 1995.


CITY CLERK





MAYOR

The Corporation of the City of Hamilton

BY-LAW NO. 95- 216

To Amend

By-law No. 95-090

Respecting

1995 DEBENTURE PROJECTS AND AMOUNTS

WHEREAS By-law No. 95-090 was enacted on April 11, 1995 and included the Roadway and Sidewalk Reconsruction Program as a project;

AND WHEREAS City Council, on August 29, 1995, in adopting Item No. 15 of the 19th Report of the Finance and Administration Committee authorized an amendment to the 1995 Debenture Projects to increase the authorized cost of the 1995 Reconstruction Program - Local Roads by \$100,000.00;

NOW THEREFORE the Council of the Corporation of the City of Hamilton enacts as follows:

- 1. Paragraph 4 of Schedule "A" of By-law No. 95-090 is amended by removing paragraph 4 and replacing it with the following:

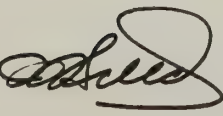
SCHEDULE "A" TO BY-LAW NO. 95-090

<u>Project</u>	<u>Gross Cost</u>	<u>Subsidy Receipts</u>	<u>Capital Levy Financing</u>	<u>Net Debenture Authorization</u>
85.0 Roadway and Sidewalk Reconstruction Program - Local Roads - Phase I	\$ 7,325,000	\$1,806,000	\$100,000	\$5,419,000

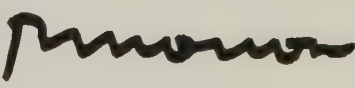
- 2. The total columns of Schedule "A" are repealed and replaced with the following:

<u>\$11,986,000</u>	<u>\$2,131,000</u>	<u>\$163,000</u>	<u>\$9,692,000</u>
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PASSED this 28th day of November, 1995.


CITY CLERK




MAYOR

BY-LAW NO. 95 - 217

TO CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON AT ITS MEETING HELD ON THE 28TH DAY OF NOVEMBER A.D., 1995.

WHEREAS by Section 9 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario, 1990, the powers of a municipal corporation are to be exercised by its Council;

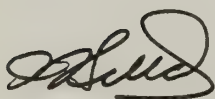
AND WHEREAS by Sub-section 1 of Section 101 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario 1990, the powers of every Council are to be exercised by by-law.

AND WHEREAS it is deemed expedient that the proceedings of the Council of The Corporation of the City of Hamilton at this meeting be confirmed and adopted by by-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:-

1. The action of The Council of The Corporation of the City of Hamilton in respect to each recommendation contained in the Reports of the Committees and of the local Boards and Commissions and each motion and resolution passed and other action taken by the Council of The Corporation of the City of Hamilton at this meeting is hereby adopted and confirmed as if all such proceedings were expressly in this By-law.
2. The Mayor and the proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the action of the Council of The Corporation of the City of Hamilton referred to in the preceding section hereof.
3. The Mayor, or in the absence of the Mayor, the Acting Mayor, and the City Clerk, or in the absence of the City Clerk, the Acting City Clerk are authorized and directed to execute all documents necessary in that behalf and to affix thereto the seal of The Corporation of the City of Hamilton.

PASSED this 28th day of November A.D. 1995



CITY CLERK



MAYOR



CAY ON HBL A08
B91
1995

BILL NO. A - 72

BY-LAW NO. 95 - 218

TO AMEND BY-LAW NO. 89-72 TO REGULATE TRAFFIC

THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON ENACTS AS FOLLOWS:

TRAFFIC

1. **Schedule 25 (Parking Time Limits)** of By-law 89-72 To Regulate Traffic passed on the 28th day of February 1989 is hereby amended by adding thereto the following items, namely:-

"Brantdale	North	Cloverhill to Glenwood	1hr	8 am - 6 pm	Mon - Fri
Burton	North	Wentworth to a point 114 feet east of Cheever	3hr	8 am - 6 pm	Mon - Sat."

and by deleting therefrom the following items, namely:-

"Burton	North	Wentworth to Cheever	3hr	8 am - 6 pm	Mon - Sat."
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2. **Schedule 26 (No Parking Areas)** is hereby amended by adding thereto the following items, namely:-

"Burton	North	Cheever to a point 114 feet easterly therefrom	Anytime
Northgate	West	commencing at the southerly end and extending to a point 45 feet northerly therefrom	Anytime
Norway	East	Maplewood to Afton	Anytime
Hunter	South	commencing at a point 65 feet west of John and extending to a point 196 feet westerly therefrom	Anytime."

3. **Schedule 27 (Alternate Side Parking)** is hereby amended by adding thereto the following items, namely:-

"Norway Avenue	West	East."
Cumberland Avenue to Afton Avenue		

and by deleting therefrom the following item, namely:-

"Norway Avenue	West	East."
Cumberland Avenue to Maplewood Avenue		

4. **Schedule 34 (Sticker Permit Parking)** is hereby amended by adding thereto the following items, namely:-

"Norway	West	Maplewood to the south property line of number 54 Norway	Anytime
Mary	West	commencing at a point 135 feet south of Wood and extending to a point 20 feet southerly therefrom	Anytime
Hunter	North	commencing at a point 101 feet east of James and extending to a point 31 feet easterly therefrom	Anytime."

and by deleting therefrom the following item, namely:-

"Hunter	North	78 feet east of James to a point 46 feet easterly therefrom	Anytime."
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5. **Schedule 24 (Parking Meter Locations)** is hereby amended:

(a) by adding to **Section 5 (15 Minute Limit)** the following item, namely:-

"Hunter	North	James to John."
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(b) by deleting from **Section 3(b) (1 Hour Limit)** the following items, namely:-

"Hunter	North	James to Hughson
Hunter	North	John to Hughson."

PASSED this *12th* day of *December* A.D. 1995.

A. J. McDonnell

Acting CITY CLERK



Mayor

MAYOR

BY-LAW NO. 95 - 219

TO AMEND BY-LAW NO. 89-72 TO REGULATE TRAFFIC

THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON ENACTS AS FOLLOWS:

TRAFFIC

1. **Schedule 10 (Stops at intersections)** of By-law 89-72 To Regulate Traffic passed on the 28th day of February 1989 is hereby amended by adding thereto the following items, namely:-

"Shynal	Northbound	Morley
Tate	Northbound	Morley."

2. **Schedule 29 (No Stopping Areas)** is hereby amended by adding thereto the following items, namely:-

"Pottruff	West	Gardenia to a point 156 feet northerly	Anytime
Moxley	West	Carson to a point 48 feet northerly	Anytime
Hunter	North	Hughson to a point 50 feet westerly	Anytime
Hunter	North	Hughson to a point 53 feet easterly	Anytime
Hunter	South	commencing at a point 276 feet east of James and extending to a point 143 feet easterly therefrom	Anytime."

and by deleting therefrom the following item, namely:-

"Hunter	South	John to James	Anytime."
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3. **Schedule 28 (Taxi Stands)** is hereby amended by adding thereto the following item, namely:-

"Hunter	South	75 feet	132 feet east of James	Anytime."
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4. **Schedule 30 (Commercial Vehicle Loading Zones)** is hereby amended by adding thereto the following item, namely:-

"Hunter	South	68 feet	208 feet east of James	Anytime."
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5. **Schedule 35 (Wheelchair Loading Zones)** is hereby amended by adding thereto the following item, namely:-

"Hunter South 20 feet 261 feet west of John Anytime."

PASSED this 12th day of December A.D. 1995.

A. F. Hollonell

[Signature]

ing CITY CLERK

MAYOR



THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 95- 220

TO INCORPORATE CITY LAND
DESIGNATED AS BLOCK 31, ON PLAN 62M-710
INTO APPLEBLOSSOM DRIVE

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 297(1) of The Municipal Act, R.S.O. 1990, Chapter M.45 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it necessary to incorporate a portion of the highway known as Appleblossom Drive within its limits, the land described below;

AND WHEREAS the said lands are owned by The Corporation of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The following lands are hereby established and laid out as a public highway to form part of Appleblossom Drive.

All of Block 31, Plan 62M-710

City of Hamilton
Regional Municipality of Hamilton-Wentworth

2. The Commissioner of Transportation/Environmental Services or his duly authorized agent is hereby authorized to open the said lands as a public highway.

3. This by-law comes into force and takes effect on the date of its registration in the Land Registry Office (No. 62).

PASSED this 12th day of December A.D. 1995

S. P. Hollonell

City Clerk

[Signature]

Mayor



THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 95- 221

TO ALTER CENTENNIAL PARKWAY BY EXTENDING THE EXISTING RAISED
CONCRETE MEDIAN ISLAND ON THE NORTH LEG OF THE INTERSECTION OF BARTON
STREET AND CENTENNIAL PARKWAY NORTHERLY BY APPROXIMATELY 25 METRES.

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 297 of the Municipal Act, Revised Statutes of Ontario, 1990, Chapter M.45, and amendments thereto, to establish and layout, widen, alter, divert, stop-up, close or sell any highway or part of a highway;

AND WHEREAS this portion of highway known as Centennial Parkway is a local road under the jurisdiction of The Corporation of the City of Hamilton;

AND WHEREAS the Council of The Corporation of the City of Hamilton, in adopting Item 22 of the 12th Report of the Transport and Environment Committee on October 10, 1995 authorized that steps be taken in accordance with the Municipal Act to advertise Notice of the City's intention to alter Centennial Parkway as hereinafter described;

AND WHEREAS Notice of the City's intention to pass this By-law to authorize the said alteration has been published as required by Section 300 of the Municipal Act for four (4) consecutive weeks in The Spectator, a newspaper having general circulation in the City of Hamilton;

AND WHEREAS the Council of The Corporation of the City of Hamilton, through its Transport and Environment Committee, has heard all persons who applied to be heard no matter whether in objection to or in support of this By-law;

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

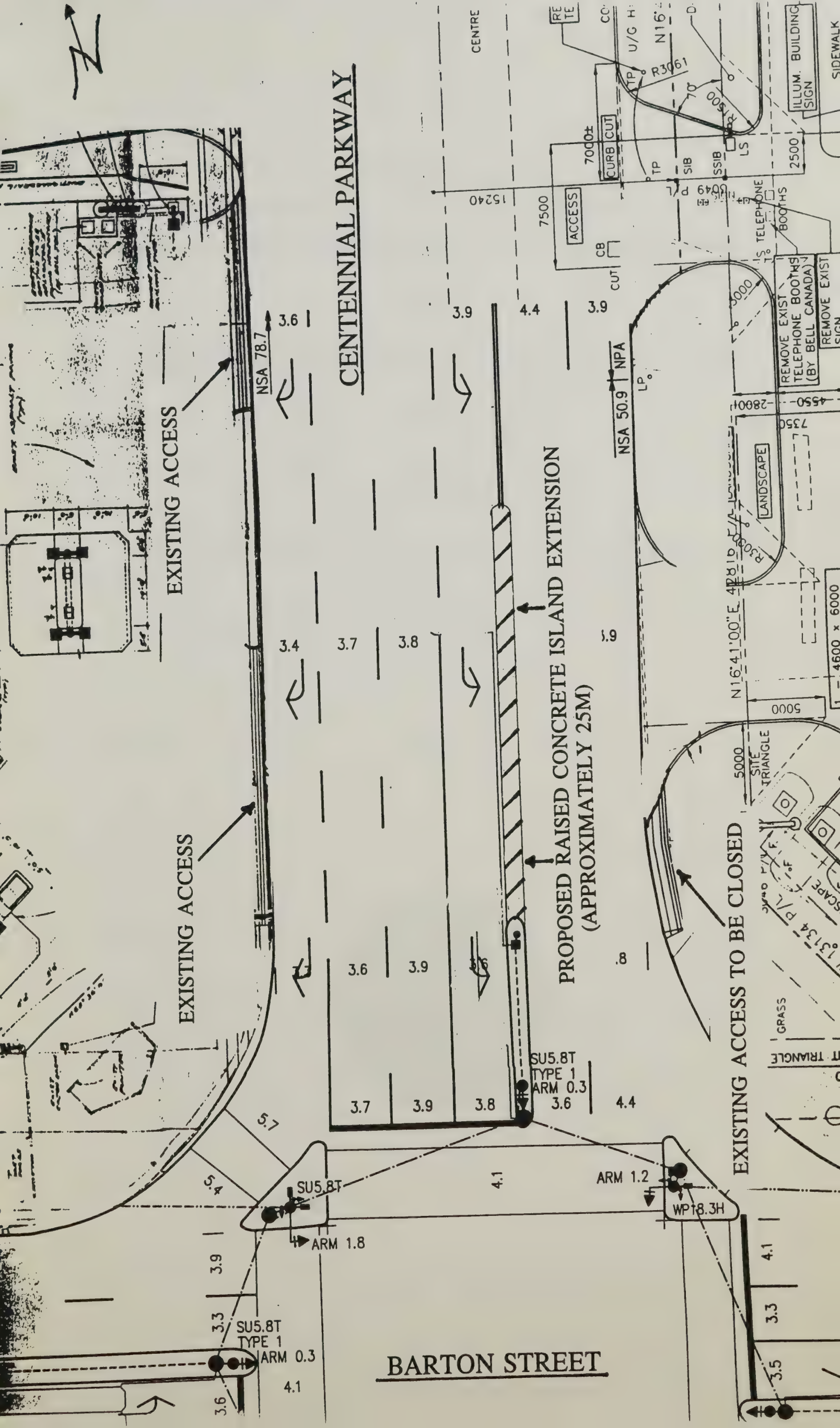
- 1. That the alterations be approved and carried out on Centennial Parkway to extend the island within the travelled portion of the highway on the north leg of the intersection of Barton Street and Centennial Parkway, northerly by approximately 25 metres, as illustrated in Schedule "A" attached hereto.
- 2. That the Mayor and City Clerk are hereby authorized to execute, on behalf of The Corporation of the City of Hamilton, all contracts necessary for the construction of the said works.

PASSED this 12th day of December, 1995.

D. P. Mollonell
Acting
CITY CLERK



[Signature]
MAYOR



BY-LAW NO. 95 - 222

TO AMEND BY-LAW NO. 89-72 TO REGULATE TRAFFIC

THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON ENACTS AS FOLLOWS:

TRAFFIC

1. **Schedule 29 (No Stopping Areas)** of By-law 89-72 To Regulate Traffic passed on the 28th day of February 1989 is hereby amended by adding thereto the following items, namely:-

"Bunker Hill	West	Greenhill to a point 70 feet southerly therefrom	Anytime
Bunker Hill	West	Par to a point 75 feet northerly therefrom	Anytime."

2. **Schedule 26 (No Parking Areas)** is hereby amended by deleting therefrom the following item, namely:-

"Bunkerhill	West	Greenhill to Par	Anytime."
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PASSED this 12th day of December A.D. 1995.

A. P. Hollonell

P. Munro

Acting CITY CLERK

MAYOR



The Corporation of the City of Hamilton

BY-LAW NO. 95- 223

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT MUNICIPAL NO. 1275 UPPER JAMES STREET

WHEREAS it is intended to change the zoning of the lands hereinafter referred to and to establish special requirements under section 19B of By-law No. 6593 passed on the 25th day of July 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. E-9c of the District Maps, appended to and forming part of By-law No. 6593, is amended,

- (a) by changing from "CR-1" (Community-Residential) District, modified to "HH" (Restricted Community Commercial and Shopping) District,

the land, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".

2. The "HH" (Restricted Community Commercial and Shopping) District provisions, as contained in Section 14A of Zoning By-law No. 6593, applicable to the lands referred to in section 1 are amended to the extent only of the special requirements that,

- (a) notwithstanding Section 18(3)(ivc)(b) of Zoning By-law 6593, a landscape planting strip having a minimum width of 6.0 m shall be provided and maintained along the easterly limits of the "HH" District where they abut the residential district to the east; and,
- (b) a visual barrier not less than 1.2 m in height and not greater than 2.0 m in height, shall be provided and maintained along the easterly limits of the "HH" District where they abut the residential district to the east; and,
- (c) notwithstanding Section 14A(3)(a) of Zoning By-law No. 6593, a front yard depth of at least 24 metres shall be provided and maintained for any building; and,

- (d) a minimum 3.0 m wide landscaped planting strip shall be provided and maintained along the entire westerly lot line, except for any area used for driveway access.

3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "HH" District provisions, subject to the special requirements referred to in section 2.

4. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1349.

5. Sheet No. E-9c of the District Maps is amended by marking the lands referred to in section 1 of this by-law, S-1349.

6. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED this 12th day of December A.D. 1995

A. J. Hollonell

Acting CITY CLERK



[Signature]

MAYOR

(1995) 19 R.P.D.C. 1, October 10
Hampshire Properties Inc., Owner
ZAC-95-23

The Corporation of the City of Hamilton

BY-LAW NO. 95-224

To Adopt:

Official Plan Amendment No. 132

Respecting:

**LANDS LOCATED AT THE NORTH-WEST CORNER OF UPPER WENTWORTH
STREET AND EMPEROR DRIVE**

The Council of The Corporation of the City of Hamilton enacts as follows:

1. Amendment No. 132 to the Official Plan of the Hamilton Planning Area consisting of Schedule 1, hereto annexed and forming part of this by-law, is hereby adopted.
2. It is hereby authorized and directed that such approval of the Official Plan Amendment referred to in section 1 above, as may be requisite, be obtained and for the doing of all things for the purpose thereof.

PASSED this 12th day of

December

A.D. 1995

A. P. Hollonell

CITY CLERK



[Signature]

MAYOR

(1995) 19 R.P.D.C. 2, October 10
Wellington Chase Inc. (J. Parente), Owner
ZAC-95-15

Amendment No. 132
to the
City of Hamilton Official Plan

The following text, together with Schedules "A" and "B-2", attached hereto, constitutes Official Plan Amendment No. 132.

Purpose:

The purpose of this Amendment is to redesignate the subject lands, located at the northwest corner of Upper Wentworth Street and Emperor Drive, from "Commercial" to "Residential", and delete that portion of "Special Policy Area 23" applicable to the subject lands, to permit single family residential building lots.

Location:

The lands affected by this Amendment are located on the northwest corner of Upper Wentworth Street and Emperor Drive, within the Barnstown Neighbourhood.

Basis:

The basis for permitting single family residential development on the subject lands are as follows:

- 1) The proposed single family residential development would be compatible with existing single family areas located to the north and west of the subject lands; and,
- 2) There are other areas designated and zoned for commercial use in the vicinity, including blocks at the northwest and southeast corners of the Barnstown Neighbourhood, and a large commercial area located at the northeast corner of Upper Wentworth and Rymal Rd.

Actual Changes:

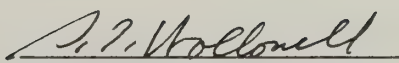
- 1) Schedule "A" - Land Use Concept of the Official Plan be revised by redesignating the subject lands from "Commercial" to "Residential", as shown on the attached Schedule "A" of this Amendment; and,
- 2) Schedule "B-2" - Other Special Policy Areas be revised by deleting the subject lands from Special Policy Area 23, as shown on the attached Schedule "B-2" of this Amendment.

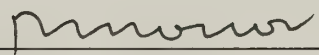
Implementation:

A Zoning By-law amendment will give effect to the intended use on the subject lands.

This is Schedule "1" to By-law No. 95- 224 , passed on the *12th* day of *December* , 1995.

**The Corporation of the
City of Hamilton**


Acting City Clerk


Mayor



The Corporation of the City of Hamilton

BY-LAW NO. 95- 225

To Amend:

Zoning By-law No. 6593

Respecting:

LANDS LOCATED AT THE NORTH-WEST CORNER OF UPPER WENTWORTH STREET AND EMPEROR DRIVE

WHEREAS it is intended to change the zoning of the lands hereinafter referred to by amending By-law No. 6593, passed on the 25th day of July 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982. as amended by Official Plan Amendment No. 132, proposed by the Council of The Corporation of the City of Hamilton but not yet approved by the Regional Municipality of Hamilton-Wentworth in accordance with the provisions of Section 4, 17, and 21 of the Planning Act, R.S.O. 1990, Chapter P.13.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. E-18D of the District Maps, appended to and forming part of By-law No. 6593, is amended,

- (a) by changing from "G-1" (Designed Shopping Centre) District, to "C" (Urban Protected Residential, etc.) District.

the land, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".

2. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED this 12th day of

December

A.D. 1995

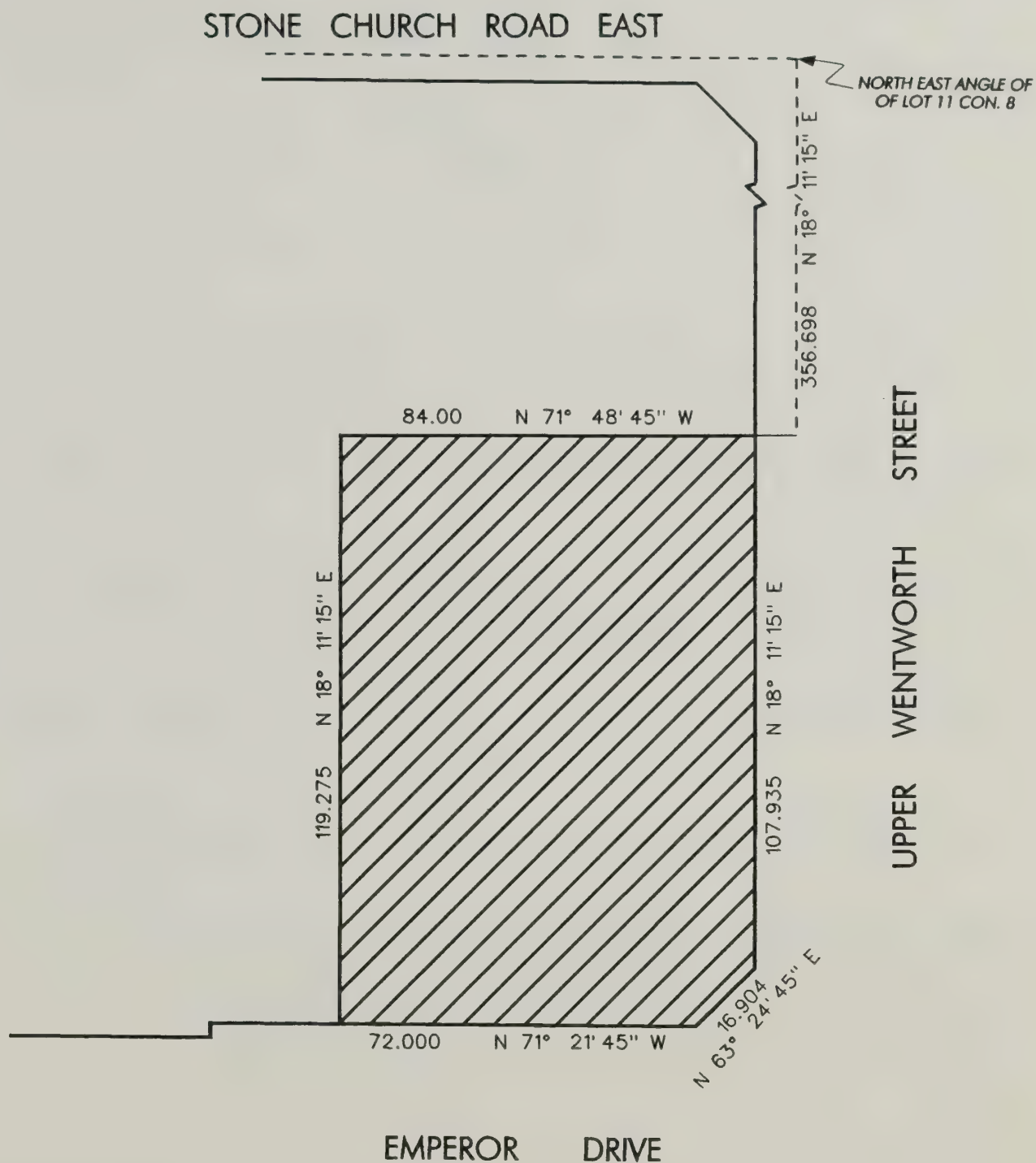
A. P. Hollowell

CITY CLERK



[Signature]

MAYOR



NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 95-225
Passed the 12th day of December, 1995.

S. P. Mollon
Clerk

[Signature]
Mayor

City of Hamilton

Schedule A

Map Forming Part of
By-Law No. 95-225
to Amend By-Law No. 6593

Planning and Development Department

Legend

Change in zoning from:



"G-1" (Designed Shopping Centre)
District, to "C" (Urban Protected
Residential, etc.) District.

North



Scale
Not to Scale

Date
OCTOBER 1995

Reference File No.
ZAC-95-15

Drawn By
R.L.

The Corporation of the City of Hamilton

BY-LAW NO. 95- 226

To Amend

By-law No. 94-185

Respecting

THE PROPERTY STANDARDS BY-LAW

WHEREAS By-law 94-185 continued the Property Standards Committee which consists of three persons.

AND WHEREAS City Council, on December 12, 1995, authorized an increase in the number of members of the Property Standards Committee to five members.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Subsection (2) of Section 40 of By-law No. 94-185 is repealed and replaced with the following:

40(2) The Property Standards Committee for the City of Hamilton shall consist of 5 ratepayers of the City to be appointed by Council for an initial two year term to December 31, 1997, and thereafter for terms of 3 years. The members of the Committee shall hold office until their successors have been appointed. Any vacancy on the Committee shall be filled forthwith by Council.

PASSED this 12th day of December , 1995.

D. J. Hollonell

Acting CITY CLERK



Thomson

MAYOR

The Corporation of the City of Hamilton

BY-LAW NO. 95- 227

To Amend

By-law No. 95-090

Respecting

1995 DEBENTURE PROJECTS AND AMOUNTS

WHEREAS By-law No. 95-090 was enacted on April 11, 1995 and included the Major Maintenance to Civic Buildings Project;

AND WHEREAS City Council, on November 14, 1995, in adopting Section 4 of the 27th Report of the Finance and Administration Committee authorized an amendment to the 1995 Debenture Projects to decrease the authorized cost of the Major Maintenance to Civic Buildings Project;

NOW THEREFORE the Council of the Corporation of the City of Hamilton enacts as follows:

- 1. Schedule "A" of By-law No. 95-090 is amended by removing the Major Maintenance to Civic Buildings Project and replacing it with the following:

SCHEDULE "A" TO BY-LAW NO. 95-090

	<u>Project</u>	<u>Gross Cost</u>	<u>Subsidy Receipts</u>	<u>Capital Levy Financing</u>	<u>Net Debenture Authorization</u>
9	Major Maintenance to Civic Buildings	\$946,700	0	\$63,000	\$883,700

PASSED this 12th day of December, 1995.

A. P. Mollan
Acting
CITY CLERK



[Signature]
MAYOR

The Corporation of the City of Hamilton

BY-LAW NO. 95- 228

To Amend By-law No. 94-095

Regarding

1994 DEBENTURE PROJECTS AND AMOUNTS

WHEREAS By-law No. 94-095 concerning the 1994 Debenture Projects was enacted by Council on the 31st day of May, 1994 and contained the Inch Park Arena and Parkdale Arena Projects;

AND WHEREAS By-law No. 95-034, enacted on January 31, 1995, amended the debenture amount of each project to \$1,886,500;

AND WHEREAS the Council of The Corporation of the City of Hamilton, in adopting Section 12 of the 15th Report of the Finance and Administration Committee on October 11, 1994, authorized an amendment to By-law No. 94-095 concerning the Parkdale Arena Retrofit Project and the Inch Park Arena Retrofit Project debenture amounts;

AND WHEREAS Council on November 14, 1995 in adopting Section 4 of the 27th Report of the Finance and Administration Committee authorized a further amendment to the debenture amount for each project.

NOW THEREFORE the Council of the Corporation of the City of Hamilton enacts as follows:

- 1. Paragraphs 14 and 15 of Schedule "A" to By-law 94-095, as amended, are repealed and replaced by the following:

<u>Project</u>	<u>Gross Cost</u>	<u>Reserve Financing</u>	<u>Debenture Amount</u>	<u>Term of Debenture</u>
14) Parkdale Arena	\$2,321,650	\$113,500	\$2,208,150	20 years
15) Inch Park Arena	\$2,321,650	\$113,500	\$2,208,150	20 years

- 2. By-law No. 95-034 is hereby repealed.

PASSED this 12th day of December 1995.

A. E. Mollinell

Acting CITY CLERK

[Signature]

MAYOR



BY-LAW NO. 95 - 229

TO CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON AT ITS MEETING HELD ON THE 12TH DAY OF DECEMBER A.D., 1995.

WHEREAS by Section 9 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario, 1990, the powers of a municipal corporation are to be exercised by its Council;

AND WHEREAS by Sub-section 1 of Section 101 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario 1990, the powers of every Council are to be exercised by by-law.

AND WHEREAS it is deemed expedient that the proceedings of the Council of The Corporation of the City of Hamilton at this meeting be confirmed and adopted by by-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:-

1. The action of The Council of The Corporation of the City of Hamilton in respect to each recommendation contained in the Reports of the Committees and of the local Boards and Commissions and each motion and resolution passed and other action taken by the Council of The Corporation of the City of Hamilton at this meeting is hereby adopted and confirmed as if all such proceedings were expressly in this By-law.
2. The Mayor and the proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the action of the Council of The Corporation of the City of Hamilton referred to in the preceding section hereof.
3. The Mayor, or in the absence of the Mayor, the Acting Mayor, and the City Clerk, or in the absence of the City Clerk, the Acting City Clerk are authorized and directed to execute all documents necessary in that behalf and to affix thereto the seal of The Corporation of the City of Hamilton.

PASSED this 12th day of December A.D. 1995

S. J. Hollonell

Acting CITY CLERK

Mayor

MAYOR



CAY ON HBC 108

BSI

1996

BILL NO. A-41

BY-LAW NO. 96 - 132

TO AMEND BY-LAW NO. 89-72 TO REGULATE TRAFFIC

THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON ENACTS AS FOLLOWS:

TRAFFIC

1. **Schedule 25 (Parking Time Limits)** of By-law 89-72 To Regulate Traffic passed on the 28th day of February 1989 is hereby amended by adding thereto the following items, namely:-

"Hess	East	Bold to Hunter	1 hr	8 am - 8 am (24 hrs)	Mon - Sat
Simcoe	South	Bay to MacNab	3 hr	8 am - 8 am (24 hrs)	Mon - Sun
Hunter	South	Locke to Pearl	1 hr	8 am - 8 am (24 hrs)	Mon - Sun
Depew	West	Beach to Gertrude	1 hr	8 am - 8 am (24 hrs)	Mon - Sun
West 32nd	Both	Bendamere to Elmwood	1 hr	8 am - 6 pm	Mon - Fri
Stanley	North	Dundurn to Linwood	3 hr	8 am - 6 pm	Mon - Fri
Stanley	South	459 feet west of Dundurn to Linwood	3 hr	8 am - 6 pm	Mon - Fri."

and by deleting therefrom the following items, namely:-

"Depew	West	Beach Rd to Gertrude	3 hr	8 am - 8 pm	Mon - Fri
Stanley	North	Dundurn to Linwood	3 hr	8 am - 6 pm	Mon - Sat
Stanley	South	450' West of Dundurn to Linwood	3 hr	8 am - 6 pm	Mon - Sat."

2. **Schedule 26 (No Parking Areas)** of said By-law is hereby amended by adding thereto the following items, namely:-

"Country Club	East	Capilano to Greenhill	Anytime
Dana	East	Norrie to 72 feet northerly	Anytime
Norrie	North	Dana to 80 feet easterly	Anytime
Berkindale	East	Roxborough to 118 feet southerly	Anytime
Tom	South	Dundurn to Breadalbane	Anytime
Tom	North	Breadalbane to west end	Anytime."

and by deleting therefrom the following items, namely:-

"East	East	from a point 84 feet north of Robert to a point 22 feet northerly therefrom	8 am - 6 pm	Mon - Sun
Stanley	South	Dundurn to 450' West	Anytime	
Tom	North	Dundurn to West End	Anytime."	

3. **Schedule 27 (Alternate Side Parking)** of said By-law is hereby amended by adding thereto the following items, namely:-

"Stanley Avenue Queen to Dundurn	South	North
Stanley Avenue Linwood to 459 feet west of Dundurn	South	
Stanley Avenue Linwood to 410 feet west of Dundurn		North."

and by deleting therefrom the following items, namely:-

"Country Club Capilano to Greenhill	East	West
Stanley Avenue Queen Street to Linwood Avenue	South	North."

4. **Schedule 34 (Sticker Permit Parking)** of said By-law is hereby amended by adding thereto the following items, namely:-

"Grosvenor	East	commencing 398 feet south of Barton and extending 20 feet southerly therefrom	Anytime
Simcoe	North	Bay to MacNab	Anytime
Fairfield	West	commencing 391 feet south of Britannia and extending 17 feet southerly therefrom	Anytime
Fairfield	East	commencing 375 feet south of Britannia and extending 17 feet southerly therefrom	Anytime
Fairfield	West	commencing 225 feet south of Vansitmart and extending 20 feet southerly therefrom	Anytime
Fairfield	West	commencing 263 feet south of Britannia and extending 20 feet southerly therefrom	Anytime
Fairfield	East	commencing 343 feet south of Britannia and extending 18 feet southerly therefrom	Anytime

Ferguson	West	commencing 116 feet north of Macaule and extending 23 feet northerly therefrom	Anytime
Norway	West	commencing 24 feet north of Cumberland and extending 20 feet northerly therefrom	Anytime
Tom	North	commencing 194 feet west of Dundurn and extending 21 feet westerly therefrom	Anytime
Tragina	East	commencing 475 feet south of Barton and extending 16 feet southerly therefrom	Anytime."

and by deleting therefrom the following items, namely:-

"Grosvenor	East	commencing at a point 389 feet south of Barton to a point 29 southerly therefrom	Anytime
Simcoe	Both	Bay to MacNab	Anytime."

PASSED this 27th day of August

A.D. 1996.

S. J. Hollonell

ACTING CITY CLERK



Henry Morling

ACTING MAYOR

BY-LAW NO. 96 - 133

TO AMEND BY-LAW NO. 89-72 TO REGULATE TRAFFIC

THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON ENACTS AS FOLLOWS:

TRAFFIC

1. **Schedule 10 (Stops at Intersections)** of By-law 89-72 To Regulate Traffic passed on the 28th day of February 1989 is hereby amended by adding thereto the following items, namely:-

"Broughton	Eastbound	Grayrocks
Broughton	Eastbound and Westbound	Ossington
Kingsway	Westbound	John
Roanoke	Eastbound and Westbound	Paradise
Tia	Northbound	Nugent."

2. **Schedule 29 (No Stopping Areas)** of said By-law is hereby amended by adding thereto the following items, namely:-

"Stanley	South	Dundurn to 459 feet westerly	Anytime."
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3. **Schedule 35 (Wheelchair Loading Zones)** of said By-law is hereby amended by adding thereto the following items, namely:-

"Reid	East	40 feet commencing 109 feet south of Ayr	8:00 am - 6:00 pm Monday to Friday
Vickers	North	50 feet commencing 86 feet west of Upper Wentworth	9:00 am - 11:00 pm."

and by deleting therefrom the following items, namely:-

"Ravenbury (west leg)	East	39 ft. commencing 209 feet south of the south curb line of Ravenbury (north leg)	Anytime
Vickers	North	30 feet commencing 86 feet west of Upper Wentworth	9:00 am - 11:00 pm."

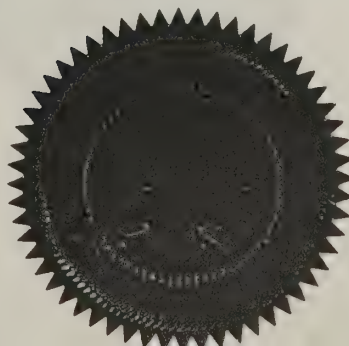
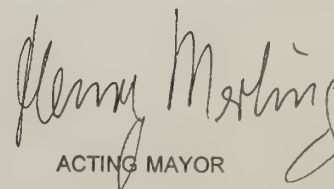
PASSED this 27th

day of August

A.D. 1996.



ACTING CITY CLERK

ACTING MAYOR

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 96-134

TO ALTER JOHN STREET NORTH BY
NARROWING THE ROADWAY

WHEREAS the Council of the Corporation of the City of Hamilton is empowered under Section 297 of The Municipal Act, Revised Statutes of Ontario, 1990, Chapter M.45, and amendments thereto, to establish and layout, widen, alter, divert, stop-up, lease, close or sell any highway or part of a highway;

AND WHEREAS the portion of highway known as John Street North is a local road under the jurisdiction of The Corporation of the City of Hamilton;

AND WHEREAS the Council of The Corporation of the City of Hamilton, in adopting Item 29 of the 9th Report of the Transport and Environment Committee on June 25, 1996, authorized that steps be taken in accordance with the Municipal Act to advertise Notice of the City's intention to alter John Street North as hereinafter described;

AND WHEREAS Notice of the City's intention to pass this By-law to authorize the said alteration has been published as required by Section 300 of the Municipal Act for four (4) consecutive weeks in The Spectator, a newspaper having general circulation of the City of Hamilton:

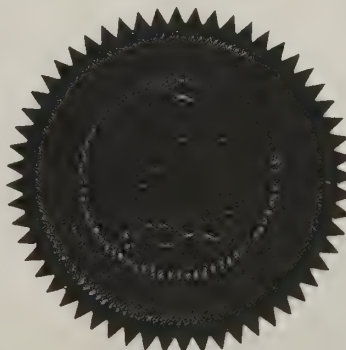
AND WHEREAS the Council of The Corporation of the City of Hamilton, through its Transport and Environment Committee, has heard all persons who applied to be heard no matter whether in objection to or in support of this By-law;

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. That the alterations be approved and carried out to a portion of John Street North for the purpose of narrowing the roadway from 8.6 m between a point approximately 50 m north of the north curb line of Burlington Street to approximately 13 m northerly, as illustrated in Schedule "A" attached hereto.
2. That the Mayor and City Clerk are hereby authorized to execute, on behalf of The Corporation of the City of Hamilton, all contracts necessary for the construction of the said works.

PASSED this 27th day of August, 1996.

Ann Hollowell
Acting CITY CLERK



Gerry Melnyk
Acting MAYOR

The Corporation of the City of Hamilton

By-law No. 96- 135

To Amend By-law No. 95-167

**TO REGULATE THE PROCEEDINGS OF THE MUNICIPAL COUNCIL
AND COMMITTEES OF THE CITY OF HAMILTON**

WHEREAS the City Procedural By-law No. 95-167 was enacted by the Council of The Corporation of the City of Hamilton on August 29, 1995 to establish the procedures of the Committees and Council of the City of Hamilton;

AND WHEREAS Section 42 of By-law No. 95-167 lists the duties of the Planning and Development Committee;

AND WHEREAS Council, on June 25, 1996, in adopting Section 9 of the 10th Report of the Planning and Development Committee delegated the Planning and Development Committee to hear applications for subdivision approval under the Planning Act, R.S.O., Chapter P.13;

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

Section 42 of By-law No. 95-167 is repealed and replaced with the following:

"42. In addition to any other duties prescribed under this and any other by-law of the Corporation, the duties of the Planning and Development Committee shall be:

To report and/or recommend to City Council on all matters relating to new developments in Lloyd D. Jackson Square, all matters pertaining to the use of land, the physical development of the City of Hamilton, and all matters under the Planning Act, as amended and any other Act that may affect land use planning and the local planning functions. The Planning and Development Committee is hereby delegated authority to hold public hearings regarding zoning and applications for subdivision approval in the place and stead of Council and also to make decisions regarding site plan control."

PASSED this 27th day of August 1996.

Acting

CITY CLERK



Acting

MAYOR

The Corporation of the City of Hamilton

BY-LAW NO. 96- 138

To Consolidate

By-law No. 92-094, and amendments thereto

Respecting

THE APPOINTMENT OF INSPECTORS

WHEREAS Ontario Regulation 413/90 was made on 1990 July 27 and filed on 1990 July 30 in accordance with section 19 of the Building Code Act, established the building code for Ontario;

AND WHEREAS subsection 1 of section 3 of Building Code Act provides that the council of each municipality is responsible for the enforcement of the Act in the municipality;

AND WHEREAS subsection 2 of section 3 of Building Code Act provides that each municipality shall appoint a chief building official and such inspectors as are necessary for the purpose of the enforcement of the Act:

AND WHEREAS By-Law No. 78-211, passed on the 1978 July 25 and By-Law 81-224 passed on 1981 July 28, and By-Law 87-312, passed on 1987 November 10 and By-law 91-047 passed on 1991 March 12, and By-Law 92-094 passed on 1992 March 31, consolidated previous by-laws into one by-law in view of the changes in inspection staff and appointments:

AND WHEREAS it is desirable to further consolidate into one by-law all changes in inspection staff and appointments since By-Laws 78-211, 81-224, 87-312, 91-047 and 92-094 were enacted.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. (a) The following person is appointed chief building official:
Leonard C. King, P. Eng.
- (b) The title of the chief building official shall be as follows:
Building Commissioner.
2. (a) The following person is appointed an Inspector:
Peter C. Lampman, P. Eng.
- (b) The title of the Inspector appointed under clause (a) shall be as follows:
Deputy Building Commissioner and
Director of Technical Services.
3. The person appointed Inspector under clause (a) of Section 2 is hereby appointed chief building official during the absence for any reason of the person appointed chief building official under section 1.

4. (a) The following person is appointed an Inspector:
- Wah-Keun Wong, P. Eng.
- (b) The title of the Inspector appointed under clause (a) shall be as follows:
- Manager of Customer Services
5. (a) The following persons are each appointed an Inspector:
- Larry W. Harvey
- Donald J. Inglis
- John A. Spolnik
- (b) The title of each of the Inspectors appointed under clause (a) shall be as follows:
- Supervisor of Field Services.
6. The following persons are each appointed an Inspector:
- | | |
|----------------------|------------------|
| Brian Baxter | Joyanne Beckett |
| Sylvia Bishop | Sara Bradley |
| George Caetano | Alison Churchill |
| Doug Clark | Gary Daly |
| Jack Dorr | Ron Doucet |
| Nancy Rajher-Drapeau | William Dupont |
| Ken Edgar | Debbie Eydt |
| Frank Genovese | Peter Gobbo |
| Natalie Gould | Christine Hey |
| John Ivezic | Jan Janosik |
| Zoran Kristo | Steve Kuczerepa |
| Rick Kuipers | John Lane |
| Wing Lee | Marianne Lyon |
| Morris Marsalla | Erin McClintock |
| Glen McCrory | Monica Melnick |
| Bryan Moon | Michelle Oproiu |
| Susan Parker | Gene Penko |
| Frank Peter | Tom Redmond |
| George Robis | Michael Shepherd |
| Gail Stevenson | Douglas Tam |
| Steve Teal | John Thomas |
| Sandra Tucker | Michael Verboom |
| George Wong | |
7. By-Law No. 92-094 is hereby repealed.

PASSED this 27th day of August, 1996.

D. J. Hollenbeck

Acting CITY CLERK



Henry Marking

Acting MAYOR

The Corporation of the City of Hamilton

BY-LAW NO. 96- 139

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT MUNICIPAL NO. 18 HOMEWOOD AVENUE

WHEREAS it is intended to change the zoning of the land hereinafter referred to and to establish special requirements under section 19B of By-law No. 6593 passed on the 25th day of July 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. W-14 of the District Maps, appended to and forming part of By-law No. 6593, is amended,

- (a) by changing from "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) District to "D" - 'H' (Urban Protected Residential - One and Two Family Dwellings, etc. - Holding) District, the land,

the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".

2. The "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) District provisions, as contained in Section 10 of Zoning By-law No. 6593, applicable to the lands referred to in section 1, are amended to the extent only of the special requirements that,

- (a) notwithstanding Section 10.(1) of Zoning By-law No. 6593, the existing building may be used as a multiple dwelling containing not more than four (4) Class "A" dwelling units, subject to the Residential Conversion Requirements of Section 19;
- (b) notwithstanding Section 18A.(11) and (12) of Zoning By-law No. 6593, a landscaped planting strip having a minimum width of 1.5 m (5.0 ft) shall be provided and maintained along the northerly lot line, and a visual barrier not less than 1.2 m in height and not greater than 2.0 m in height shall be provided and maintained within the landscaped planting strip, except for the area occupied by the existing garage.

3. (a) The 'H' symbol referred to in section 1 shall be removed conditional upon the applicant applying for and receiving approval for a Site Plan Control Application for the required parking layout, grading, and landscaping;

(b) The 'H' symbol shall be removed by amendment to this by-law and the development of the land referred to in section 1 may at such time proceed in accordance with the "D" District provisions, subject to the special requirements referred to in section 2 of this by-law.

4. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "D" District provisions, subject to the special requirements referred to in section 2.

5. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1362.

6. Sheet No. W-14 of the District Maps is amended by marking the lands referred to in section 1 of this by-law, S-1362.

6. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED this 27th day of August

A.D. 1996

S. P. Mollone

Acting

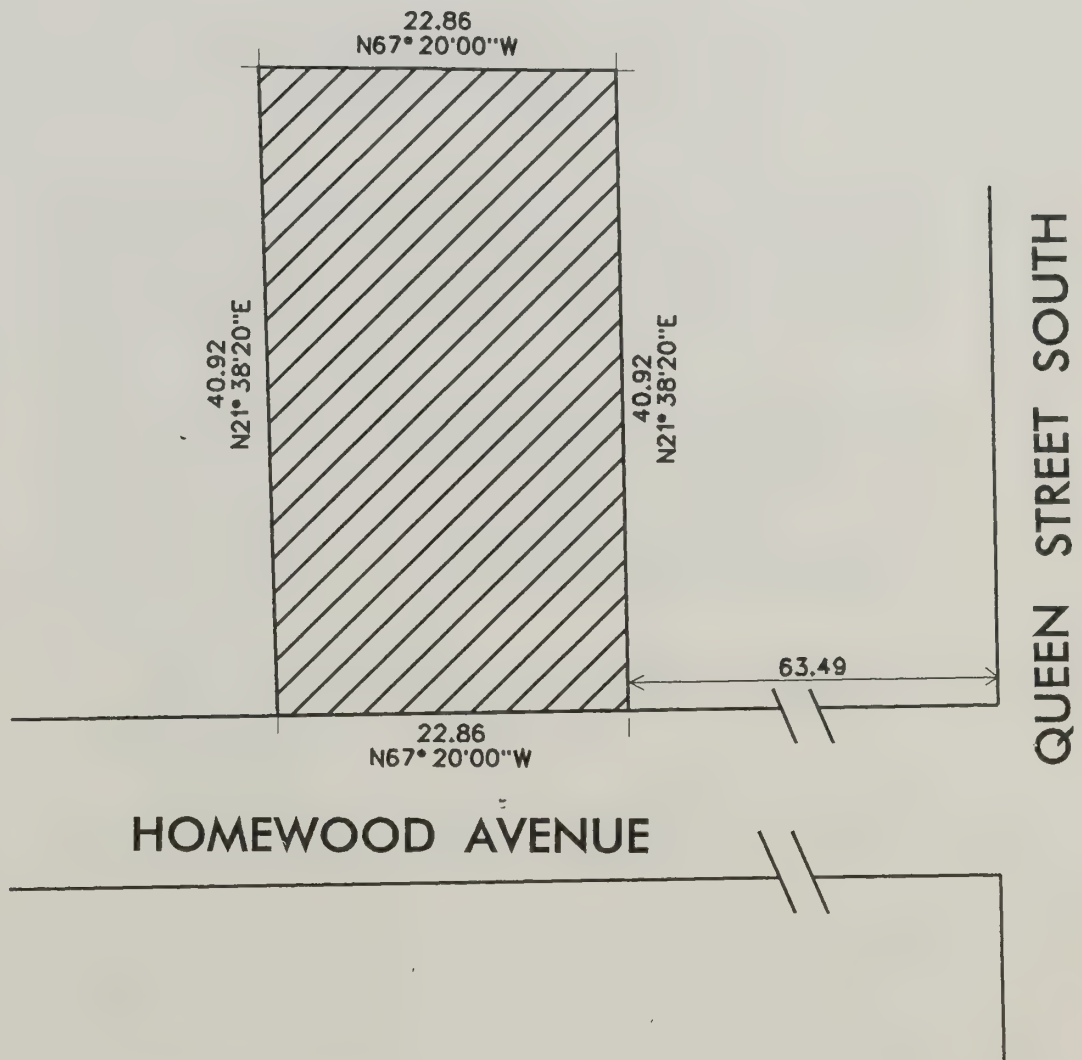
CITY CLERK



Henry Marling

Acting

MAYOR



NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 96-139
Passed the 27th day of August, 1996.

P. J. Hollander
Acting Clerk

Henry Mackay
Acting Mayor

City of Hamilton

Schedule "A"

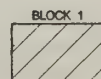
Map Forming Part of
By-Law No. 96-139

to Amend By-Law No. 6593

Planning and Development Department

Legend

Change in Zoning :



From "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) District to "D" - H (Urban Protected Residential - One and two Family Dwellings, etc. - Holding) District - Modified

North



Scale
NOT TO SCALE

Date
August 1996

Reference File No.
ZAR-96-04

Drawn By
D. L.

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO.96-140

TO AUTHORIZE AN EXTENSION AGREEMENT

FOR PAYMENT OF REALTY TAX ARREARS

WHEREAS the Municipal Tax Sales Act, R.S.O. 1990, c.M.60, (hereinafter referred to as the "Act"), states that the Council of a municipality may, by by-law, authorize an Extension Agreement with the owner of land in arrears of realty taxes in excess of three (3) years after the registration of a Tax Arrears Certificate and before the expiry of the one year redemption period;

AND WHEREAS the Municipal Tax Sales Act (section 8) states that the said Extension Agreement may extend the period of time, upon the terms specified therein, within which the Cancellation Price is to be paid;

AND WHEREAS, pursuant to the Municipal Tax Sales Act, the Treasurer did register a Tax Arrears Certificate indicating arrears of realty taxes in excess of three (3) years on the lands described in Schedule "A" annexed hereto,

AND WHEREAS, the said land is recorded by The Corporation of the City of Hamilton under the specific Tax Roll Serial Nos. indicated in Schedule "A" annexed hereto.

AND WHEREAS, The Owners of the lands described in Schedule "A" have requested that the City exercise its discretion to pass a bylaw to authorize an Extension Agreement to extend the period of time in which the Cancellation Price may be paid.

AND WHEREAS the one year period within which this by-law may be enacted will therefore expire on the days described as the redemption date of Schedule "A" attached hereto.

NOW THEREFORE the Council of the Corporation of the City of Hamilton enacts as follows:

1. (a) The time open for acceptance and the permitted payments of the Cancellation Price beyond the expiry of the said one year redemption period as set out in Schedule "A" are hereby authorized to be extended pursuant to an Extension Agreement.

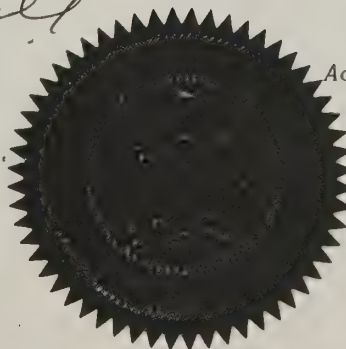
(b) The owner of the land described in Schedule "A" may, on or before the redemption date, enter into the Extension Agreement with The Corporation of the City of Hamilton, and the Mayor and City Clerk are hereby authorized to execute the Extension Agreement on behalf of the City.
2. As provided in the Municipal Tax Sales Act, notwithstanding any other provision of this Extension Agreement, it is understood and agreed that while the Extension Agreement remains a subsisting agreement in good standing:

- (a) that the Extension Agreement does not reduce the amount of the Cancellation Price.
 - (b) that the Extension Agreement does not prohibit any person from paying the Cancellation Price at any time.
 - (c) that any person may pay the Cancellation Price at any time.
 - (d) that the Extension Agreement terminates upon payment of the Cancellation Price by any person.
 - (e) that the Extension Agreement shall cease to be considered a subsisting Extension Agreement for purposes of section 9(2) of the Act, when and under what conditions set out in the Extension Agreement.
3. As also provided in the Municipal Tax Sales Act,
- (a) while such Extension Agreement is in good standing, the period of such time shall not be counted in calculating the time within which the Cancellation Price may be paid.
 - (b) upon default by owner in complying with the Extension Agreement or any term thereof, the Extension Agreement shall cease and, (unless there remains time within which the Cancellation Price may be paid and is paid), the land shall be offered for sale by the Treasurer.

PASSED this 27th day of August 1996, A.D.,

A. J. Mollonell
Acting CITY CLERK

Henry Meehling
Acting MAYOR



SCHEDULE "A" to By-law 96-140
EXTENSION AGREEMENTS

A)	PROPERTY ADDRESS	1485 MAIN EAST
	SERIAL NUMBER	04 03330 8600
	BRIEF LEGAL DESCRIPTION	CON 2 PT LOT 2
	DATE OF REGISTRATION	SEPTEMBER 26, 1995
	INST # OF TAX ARREARS CERTIFICATE	VM218062
	REDEMPTION DATE	SEPTEMBER 26, 1996
	TOTAL ARREARS	\$37,227.70
B)	PROPERTY ADDRESS	696 KING EAST
	SERIAL NUMBER	03 02325 1030
	BRIEF LEGAL DESCRIPTION	PLAN 27 PT LOT 6
	DATE OF REGISTRATION	SEPTEMBER 26, 1995
	INST # OF TAX ARREARS CERTIFICATE	VM218064
	REDEMPTION DATE	SEPTEMBER 26, 1996
	TOTAL ARREARS	\$40,031.88
C)	PROPERTY ADDRESS	90 QUEEN SOUTH
	SERIAL NUMBER	01 00950 0130
	BRIEF LEGAL DESCRIPTION	SURVEY J MILLS BLK 2 RANGE 1 PT LT 3
	DATE OF REGISTRATION	SEPTEMBER 28, 1995
	INST # OF TAX ARREARS CERTIFICATE	VM218248
	REDEMPTION DATE	SEPTEMBER 28, 1996
	TOTAL ARREARS	\$18,016.59
D)	PROPERTY ADDRESS	220 CANNON EAST
	SERIAL NUMBER	02 01820 6380
	BRIEF LEGAL DESCRIPTION	PLAN 255 LOTS 100-101 PT LT 99
	DATE OF REGISTRATION	OCTOBER 2, 1995
	INST # OF TAX ARREARS CERTIFICATE	VM218694
	REDEMPTION DATE	OCTOBER 2, 1996
	TOTAL ARREARS	\$33,336.33
E)	PROPERTY ADDRESS	134 ONTARIO AVE
	SERIAL NUMBER	03 02050 8300
	BRIEF LEGAL DESCRIPTION	PLAN 207 LOT 14
	DATE OF REGISTRATION	OCTOBER 17, 1995
	INST # OF TAX ARREARS CERTIFICATE	VM219532
	REDEMPTION DATE	OCTOBER 17, 1996
	TOTAL ARREARS	\$9,371.38
F)	PROPERTY ADDRESS	27 WILLIAM ST
	SERIAL NUMBER	03 02180 3280
	BRIEF LEGAL DESCRIPTION	PLAN 3 PT LOT 42
	DATE OF REGISTRATION	OCTOBER 17, 1995
	INST # OF TAX ARREARS CERTIFICATE	VM219521
	REDEMPTION DATE	OCTOBER 17, 1996
	TOTAL ARREARS	\$9,707.75
G)	PROPERTY ADDRESS	1605 KING EAST
	SERIAL NUMBER	04 03040 1840
	BRIEF LEGAL DESCRIPTION	PLAN 546 LOT 90
	DATE OF REGISTRATION	OCTOBER 17, 1995
	INST # OF TAX ARREARS CERTIFICATE	VM219527
	REDEMPTION DATE	OCTOBER 17, 1996
	TOTAL ARREARS	\$12,147.40

H)	PROPERTY ADDRESS	344 DARLINGTON CRT
	SERIAL NUMBER	08 10220 0044
	BRIEF LEGAL DESCRIPTION	PLAN M253 LOT 16
	DATE OF REGISTRATION	OCTOBER 17, 1995
	INST # OF TAX ARREARS CERTIFICATE	LT391236
	REDEMPTION DATE	OCTOBER 17, 1996
	TOTAL ARREARS	\$15,049.01
I)	PROPERTY ADDRESS	60 FARMER CRT
	SERIAL NUMBER	08 10710 6821
	BRIEF LEGAL DESCRIPTION	PLAN M108 LOT 18
	DATE OF REGISTRATION	OCTOBER 17, 1995
	INST # OF TAX ARREARS CERTIFICATE	LT391233
	REDEMPTION DATE	OCTOBER 17, 1996
	TOTAL ARREARS	\$15,816.73
J)	PROPERTY ADDRESS	84 ROYAL VISTA DR
	SERIAL NUMBER	06 07310 1044
	BRIEF LEGAL DESCRIPTION	PLAN 62M605 lot 11
	DATE OF REGISTRATION	OCTOBER 17, 1995
	INST # OF TAX ARREARS CERTIFICATE	LT391234
	REDEMPTION DATE	OCTOBER 17, 1996
	TOTAL ARREARS	\$12,779.99
K)	PROPERTY ADDRESS	37 HUXLEY SOUTH
	SERIAL NUMBER	04 03060 3610
	BRIEF LEGAL DESCRIPTION	PLAN 512 PT LOT 122
	DATE OF REGISTRATION	OCTOBER 20, 1995
	INST # OF TAX ARREARS CERTIFICATE	VM219749
	REDEMPTION DATE	OCTOBER 20, 1996
	TOTAL ARREARS	\$12,790.47
L)	PROPERTY ADDRESS	180 QUEENSDALE EAST
	SERIAL NUMBER	08 09040 1000
	BRIEF LEGAL DESCRIPTION	PLAN 495 LOT 113
	DATE OF REGISTRATION	OCTOBER 20, 1995
	INST # OF TAX ARREARS CERTIFICATE	VM219750
	REDEMPTION DATE	OCTOBER 20, 1996
	TOTAL ARREARS	\$13,951.54
M)	PROPERTY ADDRESS	232 EAST 45TH ST
	SERIAL NUMBER	06 06040 1440
	BRIEF LEGAL DESCRIPTION	PLAN 972 LOT 109 PT LOT 108
	DATE OF REGISTRATION	OCTOBER 27, 1995
	INST # OF TAX ARREARS CERTIFICATE	LT392118
	REDEMPTION DATE	OCTOBER 27, 1996
	TOTAL ARREARS	\$12,104.89
N)	PROPERTY ADDRESS	64 BEECHWOOD
	SERIAL NUMBER	03 02650 6090
	BRIEF LEGAL DESCRIPTION	PLAN 375 LOT 35
	DATE OF REGISTRATION	OCTOBER 27, 1996
	INST # OF TAX ARREARS CERTIFICATE	VM220174
	REDEMPTION DATE	OCTOBER 27, 1996
	TOTAL ARREARS	\$9,807.20

O)	PROPERTY ADDRESS	20 BELAND SOUTH
	SERIAL NUMBER	05 04110 6360
	BRIEF LEGAL DESCRIPTION	PLAN 556 LOTS 65,66
	DATE OF REGISTRATION	OCTOBER 31, 1995
	INST # OF TAX ARREARS CERTIFICATE	VM220408
	REDEMPTION DATE	OCTOBER 31, 1996
	TOTAL ARREARS	\$12,497.84
P)	PROPERTY ADDRESS	479 KING EAST
	SERIAL NUMBER	03 02120 1060
	BRIEF LEGAL DESCRIPTION	PLAN 99 PT LOT 1
	DATE OF REGISTRATION	OCTOBER 31, 1995
	INST # OF TAX ARREARS CERTIFICATE	VM220409
	REDEMPTION DATE	OCTOBER 31, 1996
	TOTAL ARREARS	\$61,489.55
Q)	PROPERTY ADDRESS	1396 UPPER OTTAWA #14
	SERIAL NUMBER	06 07020 6014
	BRIEF LEGAL DESCRIPTION	WC PLAN 62 UNIT 14 LEVEL 1
	DATE OF REGISTRATION	OCTOBER 26, 1995
	INST # OF TAX ARREARS CERTIFICATE	LT391823
	REDEMPTION DATE	OCTOBER 26, 1996
	TOTAL ARREARS	\$7,399.08
R)	PROPERTY ADDRESS	50 WEIR SOUTH
	SERIAL NUMBER	04 03430 5240
	BRIEF LEGAL DESCRIPTION	PLAN 543 LOT 34
	DATE OF REGISTRATION	OCTOBER 26, 1995
	INST # OF TAX ARREARS CERTIFICATE	VM220003
	REDEMPTION DATE	OCTOBER 26, 1996
	TOTAL ARREARS	\$11,284.35
S)	PROPERTY ADDRESS	477 KING EAST
	SERIAL NUMBER	03 02120 1150
	BRIEF LEGAL DESCRIPTION	PLAN 233 LOTS 2-4
	DATE OF REGISTRATION	NOVEMBER 7, 1995
	INST # OF TAX ARREARS CERTIFICATE	VM220882
	REDEMPTION DATE	NOVEMBER 7, 1996
	TOTAL ARREARS	\$176,227.98
T)	PROPERTY ADDRESS	1 SOUTH OVAL
	SERIAL NUMBER	01 00530 5650
	BRIEF LEGAL DESCRIPTION	PLAN 649 PT LOTS 1801 & 1802
	DATE OF REGISTRATION	NOVEMBER 7, 1995
	INST # OF TAX ARREARS CERTIFICATE	VM220881
	REDEMPTION DATE	NOVEMBER 7, 1996
	TOTAL ARREARS	\$13,898.47
U)	PROPERTY ADDRESS	322 HERKIMER ST
	SERIAL NUMBER	01 00925 1540
	BRIEF LEGAL DESCRIPTION	PLAN 253 BLK D PT LT 188
	DATE OF REGISTRATION	NOVEMBER 7, 1995
	INST # OF TAX ARREARS CERTIFICATE	VM220883
	REDEMPTION DATE	NOVEMBER 7, 1996
	TOTAL ARREARS	\$10,917.07

Schedule "A" to By-law 96-140

V)	PROPERTY ADDRESS	300 GLENNIE AVE
	SERIAL NUMBER	05 03850 5140
	BRIEF LEGAL DESCRIPTION	PLAN 742 LOT 105
	DATE OF REGISTRATION	NOVEMBER 7, 1995
	INST # OF TAX ARREARS CERTIFICATE	VM220879
	REDEMPTION DATE	NOVEMBER 7, 1996
	TOTAL ARREARS	\$10,168.66
W)	PROPERTY ADDRESS	162 CAMPBELL AVE
	SERIAL NUMBER	04 03140 7780
	BRIEF LEGAL DESCRIPTION	PLAN 395 BLK J PT LT 31
	DATE OF REGISTRATION	NOVEMBER 7, 1995
	INST # OF TAX ARREARS CERTIFICATE	VM220884
	REDEMPTION DATE	NOVEMBER 7, 1996
	TOTAL ARREARS	\$10,147.36
X)	PROPERTY ADDRESS	6 LAMPTON PL
	SERIAL NUMBER	05 04010 4630
	BRIEF LEGAL DESCRIPTION	PLAN 933 LOT 2
	DATE OF REGISTRATION	NOVEMBER 11, 1995
	INST # OF TAX ARREARS CERTIFICATE	VM221125
	REDEMPTION DATE	NOVEMBER 11, 1996
	TOTAL ARREARS	\$14,184.89

The Corporation of the City of Hamilton

BY-LAW NO. 96- 141

Respecting:

APPOINTMENT OF AN EXTERNAL AUDITOR

WHEREAS Section 86(1) of the Municipal Act, R.S.O. 1990, Chapter M.45, authorizes City Council to appoint one or more auditors who are licensed under the Public Accountancy Act for a term of five years or less;

AND WHEREAS the Council of The Corporation of the City of Hamilton in adopting Item 6 of the 18th Report of the Finance Committee on October 8, 1991 appointed the firm of MacGillivray Partners as the City of Hamilton's external auditor;

AND WHEREAS the Council of The Corporation of the City of Hamilton on , in adopting Item of the Report of the Finance and Administration Committee appointed the firm of MacGillivray Partners as the City of Hamilton's external auditor for the year ending December 31, 1996;

NOW THEREFORE the Council of the Corporation of the City of Hamilton enacts as follows:

1. The firm of MacGillivray Partners is appointed as The Corporation of the City of Hamilton's external auditor until December 31, 1996.
2. The firm of MacGillivray Partners shall also complete the 1996 Financial Report for The Corporation of the City of Hamilton.
3. The duties of the auditor shall include auditing the accounts and transactions of The Corporation of the City of Hamilton, every local board of The Corporation of the City of Hamilton, as defined by the Municipal Affairs Act, the Hamilton Entertainment and Convention Facilities Incorporated, the Hamilton Hydro Electric System, Canusa Games, the Canadian Football Hall of Fame and Museum, Hamilton Housing Company Limited, The Municipal Non-Profit (Hamilton) Housing Corporation, The Hamilton Municipal Retirement Fund, The Hamilton and Scourge Foundation, Inc., and all of the Boards of Management for the Business Improvement Areas within the City of Hamilton.
4. The fee payable to the auditor shall be \$109,950 for 1996. The fee shall be reduced if the hours actually spent are less than anticipated by the City and the auditor. All disbursements are included as part of the regular fee.

PASSED this 27th day of August , 1996.

Acting City Clerk

Acting Mayor



BY-LAW NO. 96 - 142

CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON AT ITS MEETING HELD ON THE 27TH DAY OF AUGUST A.D., 1996.

WHEREAS by Section 9 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario, 1990, the powers of a municipal corporation are to be exercised by its Council;

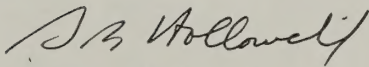
AND WHEREAS by Sub-section 1 of Section 101 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario 1990, the powers of every Council are to be exercised by by-law.

AND WHEREAS it is deemed expedient that the proceedings of the Council of The Corporation of the City of Hamilton at this meeting be confirmed and adopted by by-law.

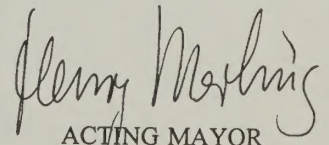
NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:-

1. The action of The Council of The Corporation of the City of Hamilton in respect to each recommendation contained in the Reports of the Committees and of the local Boards and Commissions and each motion and resolution passed and other action taken by the Council of The Corporation of the City of Hamilton at this meeting is hereby adopted and confirmed as if all such proceedings were expressly in this By-law.
2. The Mayor and the proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the action of the Council of The Corporation of the City of Hamilton referred to in the preceding section hereof.
3. The Mayor, or in the absence of the Mayor, the Acting Mayor, and the City Clerk, or in the absence of the City Clerk, the Acting City Clerk are authorized and directed to execute all documents necessary in that behalf and to affix thereto the seal of The Corporation of the City of Hamilton.

PASSED this 27th day of August A.D. 1996


ACTING CITY CLERK




ACTING MAYOR

ACCOPRESS® 

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